

**FEDERAL BUREAU OF INVESTIGATION**  
**FREEDOM OF INFORMATION/PRIVACY ACTS SECTION**

**SUBJECT: FRANK COSTELLO**  
**FILE NUMBER: 87-30 SECTION 1**

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XXXXXXFEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET

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Section 552Section 552a☐ (b)(1)☐ (b)(7)(A)☐ (d)(5)☐ (b)(2)☐ (b)(7)(B)☐ (j)(2)☐ (b)(3)☒ (b)(7)(C)☐ (k)(1)☒ (b)(7)(D)☐ (k)(2)☐ (b)(7)(E)☐ (k)(3)☐ (b)(7)(F)☐ (k)(4)☐ (b)(4)☐ (b)(8)☐ (k)(5)☐ (b)(5)☐ (b)(9)☐ (k)(6)☐ (b)(6)☐ (k)(7)

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- ☒ For your information: All of the 111 pages specifically per-  
tained to 3rd parties with no mention or reference to  
Castello except for 1 mention  
☒ The following number is to be used for reference regarding these pages: of his name in  
87-30 - Serials 1 through 37X serial 30  
which was (b)(7)(C)

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Room 1403  
370 Lexington Avenue  
New York, N. Y.

67-11

90162

April 24, 1935.

Mr. J. M. Keith,  
Hotel Alcazar,  
Miami, Florida

Re: [redacted] with aliases, et al  
National Stolen Property Act  
Conspiracy

Dear Sir:

There are transmitted herewith copies  
of log of conversations over the telephones of C. ALVIN  
STERN alias BROADWAY CHARLIE; ALBERT J. CONTINO alias  
AL HOWARD; and FRANK COSTELLO.

Very truly yours,

R. WHITLEY  
Special Agent in Charge

6/enclosures

cc: Bureau

AIR MAIL - SPECIAL DELIVERY

87-30-	
FEDERAL BUREAU OF INVESTIGATION	
APR 25 1935 A.M.	
U. S. DEPARTMENT OF JUSTICE	
ONE	FILE

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90168

INDICOT 5-2077

FRANK COSTELLO,  
841 Central Park West,  
New York City.

b7c

APRIL 25, 1935 - [REDACTED] ON DUTY.

- 8:20 A.M. - Party called and talked to man who answered to the name of Frank. Party said he was nervous and would be in on 9 o'clock train. Told Frank that he was planning to get a party from Chicago concerning a business deal - that had asked them in Chicago to send him a hundred pieces; it was slow coming in; that as soon as it got in, it had go out; that he had sent some of it to Buffalo; that the party was going to try to get 75 from him, and had stated that he had 10 coming to him. Frank said that he could not have any money until next week at which time he had to use it for a certain matter, and that he was going to care for Tony. Other party said that he had to send some money also; that they spent hundreds like nickels. Party said he would call Frank when he got to town. Frank said he had to pay to keep them quiet.
- 8:25 A.M. - Frank conversed with a woman in Italian - said something about coming to see her.
- 8:45 A.M. - [REDACTED] OFF DUTY
- 8:45 A.M. - [REDACTED] ON DUTY b7c
- 9:00 A.M. - Frank's shirtmaker called - name Sy - Received order to make six shirts.
- 9:05 A.M. - Man called - no name used - talked to Costello - talked about golf and planned to meet at the races today.
- 9:15 A.M. - Man called - no name used - talked to Costello - said he was meeting some people from Chicago and would also see Tony. Talked about each putting up \$7500 to cover this deal - spoke of buying "10 P" - Conversation made no sense to Agent. Must have been partner of Costello as spoke of seeing him at office later.
- 10:05 A.M. - Costello called man - no name used - Costello told man he couldn't connect with mouth-piece and could help much. Man said they beat their case. Costello said the only person he knew to help was Judge -----, sounded Italian.

10:10 A.M. - Mrs. Costello called hairdresser - made appointment for Friday.

10:25 A.M. - Costello's maid called grocery.

5:30 P.M. - Mrs. Costello called some woman - said she had been in the park all afternoon - talked about her bad tooth and other general conversation. Said Frank was going to bring several Wops home for dinner and that he had gone to the races.

6:10 P.M. - Man named Willie called and asked for Al - told Al was not there. Willie was calling from Costello's and talked to man named Louis - told Louis he was expecting a call and to have the party named "ED" call him at Costello's.

6:15 P.M. - Mrs. Costello called - talked to some woman and asked for her husband. Woman told Mrs. Costello her husband was probably at the office. Mrs. Costello said "Frank wanted him."

6:15 P.M. - Frank called man named Jake - Jake told him he was still fixing his office. Said he had a big order from a wholesale house in Atlanta, Georgia, and was having the bottles filled now. Costello asked him to come up to the house.

6:20 P.M. - Maid called the garage for Costello's car.

6:25 P.M. - Man called for Willie and said he was coming right up.

6:30 P.M. - Man called Eddie called - asked for Willie Moore. Eddie said he didn't see those men today so they must have gone to the ball game. Willie said "Did you see my name all over the papers?" Eddie said "No" - Willie said he got a whole page on page 18. Didn't give name of paper but sounded as though it might have been a Newark paper.

7:15 P.M. - Man called - talked Italian to Willie - asked him what papers he wanted - Willie said he wanted Jersey papers. Man said he was coming right over.

7:25 P.M. - Mr. Marvin Schenk calling Mr. Costello. Schenk's wife went to St. Louis; his father got sore on leg; Will see Costello Thursday night and in the office tomorrow. Wants Costello to come to his house for dinner Monday night. Marvin's wife talked to Costello about her trip to Hot Springs social conversation ensued - wishes to invite Charlie for dinner Tuesday night also - not Monday.

8:00 P.M. - [REDACTED] OFF DUTY  
8:00 P.M. - [REDACTED] ON DUTY

67c

8:20 P.M. - Gideon called and asked for Frank. Costello answered - Gideon stated "I am on my way, Chief" - "am going to drive up and will see you in the morning."

8:30 P.M. - Frank called Kimbrock or Ashworth Heights 8-1574 after he had dialed two different times. Party answered and he asked her "What time did you get here". She said "Right after your first phone call". She said that Sally and Delphia met them that the show had already begun; that Delphia got there at 1:15 P.M. Frank then asked her if he had received any calls. She replied that he had received one from Edie and one from my. She then said that Sally had sent one of the kids in to see to Villanova to meet Frank, and Frank asked her "why the hell did she do that", and the woman said that they did think he had any way to get home.

8:30 P.M. - Outgoing call - Man by name of Al answered and asked who calling. Party is Costello's apt. sounded like Frank Costello but gave the name of Spinelli, and asked Al to see if there is anyone waiting for him there [apparently a saloon at place). Spinelli then said, "Jack in the back". Party to phone and said "This is Jack" - Spinelli said "Did the boys get down there alright", and Jack replied that they Spinelli then told him he would be down in 10 minutes. He then said "Find out from Al Troy if Willie Moore's nephew is there". Jack then said Willie Moore's nephew left two hours ago and did not leave any message.

8:33 P.M. - Costello asked for Mr. Erickson - Woman answered phone and said that Erickson was out of town - Costello told her to tell him he would see him at the golf club tomorrow, at which the woman told him Erickson would not be in town tomorrow, but she would give the message to Mrs. Erickson the morning. Frank closed by saying to tell Mr. Erickson that he had called.

8:35 P.M. - Incoming call - Joe called Frank and asked if Willie was there. Willie answered and Joe said that he was at Villanova, whereupon Willie said he would be right down.

8:40 P.M. - Outgoing call - asked for operator and requested her to Shreveport 3-622 (2). Someone answered and Frank asked Levy or Mrs. Levy. Neither were at home and Frank told party who answered to have them call as soon as they get for it was important.

11:40 P.M. - Incoming call - Man by name of George Leavey or Levy asked woman by name of Bobby for Frank Costello came to phone and Levy asked him if he was still interested in the matter Phil called him up; that he had Harry Rosen get in touch with Murray; that arrangements should be made to get in touch with the D. A.; that a hearing is to be had before Judge Costello tomorrow; that Costello could help if he would by some little technicality in the law, but he felt that they would have some trouble reaching Costello; that the Governor had already signed the extradition papers. Frank then asked Leavy if he knew Joe Palmer, Borough President of Staten Island; that Palmer was associated in business with one of his (Frank's) friends. Intends to see Joe Palmer tomorrow to help out one of his friends. Leavy stated that he had been busy in Brooklyn with three cases; one of them with Ed Wallace, former Republican leader who is his client, and if he got out of court early tomorrow, he would meet Frank at the Golf Club around noon. Leavy then asked Frank if there is anything else he could do, - Frank said he had delivered his contract. Leavy told him that Murray was satisfied thatman (known as the Dutch Schultz of Penna.) from Penna. could do him no good.

ENDICOTT 2-3677

FRANK COSTELLO,  
241 Central Park West, *b7c*  
New York City.

APRIL 22, 1955

ON DUTY.

12:01-8:00 A.M. - No calls

8:00 A.M. - *b7c* OFF DUTY

8:00 A.M. - ON DUTY

9:00 A.M. - Costello called some place - sounded like bar room - asked if Bill was there - Told man to tell Bill to meet him at 49th St. at 10 o'clock.

9:15 A.M. - Man called - asked for Frank - arranged to meet at office - No address given.

10:05 A.M. - Bobby Costello called some woman and they planned to get together.

8:00 P.M. - OFF DUTY

8:00 P.M. - ON DUTY *b7c*

8:40 P.M. - Incoming call - no answer

9:15 P.M. - Incoming call - no answer

ENDICOTT 2-3677

FRANK COSTELLO,  
841 Central Park West,  
New York City.

APRIL 21, 1935 - [REDACTED] ON DUTY.

8:00 A.M. [REDACTED] OFF DUTY  
8:00 A.M. [REDACTED] ON DUTY

8:25 A.M. - Frank called a party and conversed with him concerning a game; that Georgie and Max would play; party told him that he would try and get in touch with Max and call him back. Frank stated he was several hundred dollars at the races yesterday.

8:35 A.M. - Party called and told Frank that Marie wouldn't play and that Georgie had almost backed out - that he would meet him in taxi at 9:15; also that Jimmie Silver had loaned him his Ford and they would pick it up at the hotel. Long conversation between Costello's wife and Lillian, wife of party that called Frank - talked concerning shows, dresses, etc.

8:38 A.M. - Frank asked Frank Erickson to play some golf - Arranged to meet each other at 10:00 A.M.

9:05 A.M. - Tommy called Costello - must have been calling from Baltimore, Maryland. Talked about race horses, and Tommy called Costello Chief.

10:00-11:00 A.M. - Mrs. Costello called Lillian; Mrs. Benjamin; her father, and conversed generally. Costello playing golf.

3:50 P.M. - Man called; talked to butler - said Costello had told him to call - Butler advised man Costello and Mrs. Costello were out.

4:00 P.M. - Brooks called - asked for Costello - Not home.

4:25 P.M. - Charlie called - talked to Mrs. Costello - wanted to talk to Costello - Not home - Charlie said he had been trying to get Al.

4:50 P.M. - [REDACTED] called - talked to Mrs. Costello - asked for Al - said he thought Al was there for dinner.

6:50 P.M. - Charlie called some man - planned to meet later.

7:10 P.M. - Mr. Stern called Pat Burke from Costello's apt. - planned to meet later.

8:00 P.M. [REDACTED] OFF DUTY

8:00 P.M. [REDACTED] ON DUTY

No calls till midnight.

ENDICOTT E-3877

FRANK COSTELLO,  
241 Central Park West,  
New York City.

b7c

APRIL 20, 1935 - [REDACTED] ON DUTY

- 8:20 A.M. - Man called - spoke with accent - sounded Italian - probably talked to Costello but used no names. Said he was feeling better and had been out yesterday - was probably sick. Costello asked about "Willie" - man said he would probably be at the races, meaning Willie, as he wouldn't miss 'em for anything. Man said he was going - Costello said he would probably go over to the old lady's tomorrow.
- 8:40 A.M. - Man called - Frank - do you want Joe's number in Elizabeth - no - Ed was mentioned; Johnnie was mentioned; Costello said, "Call me tomorrow." It sounded as if the man calling were named "Joe". Costello told him he wanted to see him tomorrow. During conversation, Joe talked of some money coming to Johnnie but no info. was given over phone.
- 9:45 A.M. - Mrs. Costello's maid called store and ordered food, etc.
- 9:50 A.M. - Woman called. Arthur (must be butler) answered. Woman asked after Mrs. Costello; asked how her tooth was - was told Mrs. Costello had gone out.
- 10:10 A.M. - Moore called Costello - asked if he were going to the races. Arranged to meet at barber shop of Hotel Astoria at 1 o'clock to go to races. Costello said would have his car.
- 10:15 A.M. - Butler called - Mr. Bernstein - Must be tailor - asked about trousers.
- 10:50 A.M. - Maid called grocery store for tea.
- Frank Costello called some man - man said waiting for call until 1:30 today - Frank wanted to meet him - arranged to meet in man's place at 3 o'clock after Frank kept appointment at 1 o'clock.
- 11:10 A.M. - Called office - advised Nick of Costello's arrangements.



11:30 A.M. - Butler called meat shop - said send meat over as family was going to country and wanted it immediately.

11:30 A.M. - Butler called garage for Costello's car.

Mrs. Costello called Ted and talked about clothes for some kid. Mrs. Costello asked Ted to send his car around - might have been at an office - Mrs. Costello told Ted that Costello had gone to the races. Mrs. Costello played 30¢ through Ted on number 404, and talked several minutes about number racket. Told Ted to have Dudley (?) call her about the car.

3:20 P.M. - Mrs. Costello received telephone call from some woman - name not obtained. Conversation general - Mrs. Costello known as Bobby

3:30 P.M. - Mrs. Bobby Costello called "Kitty" - Conversation general.

3:35 P.M. - Mrs. Bobby Costello called some woman - must have been relative - conversation general.

8:00 P.M. - [REDACTED] OFF DUTY

8:00 P.M. - [REDACTED] ON DUTY

b7c

10:45 P.M. - Woman called Western Union and stated she wished to send following telegram to Mrs. Marie Costello, 117 Halscy Street, Astoria, New York:

"Wishing you many more happy Birthdays and many Happy Easters"

signed "Frank and Loretta", to be charged to telephone "Endicott 2-3677."



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F7-30 two unrecorded serials prior to serial 38.

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Federal Bureau of Investigation

U. S. Department of Justice

Room 1403

370 Lexington Avenue

New York, N. Y.

JMK  
87-11

April 11, 1935

PERSONAL AND CONFIDENTIAL

Director,  
Federal Bureau of Investigation,  
U. S. Department of Justice,  
Pennsylvania Avenue at 9th St., N.W.,  
Washington, D. C.

Re: NICHOLAS MONTONE alias Nick Marlo  
alias "Little Nickie".  
CHARLES CALI alias Charles Williams, et al.  
National Stolen Property Act.

Dear Sir:

Under separate cover I am forwarding a summary of the facts which Special Agent [redacted] and I have developed to date from this special assignment. So far we have interviewed all the principal witnesses in this case except [redacted] and the principal, Noel C. Scaffa. As you have been advised over the telephone, [redacted] and is not expected to return until the first or second week in May. Scaffa is here in New York and we plan to interview him before our departure for Miami. The interview with him has been delayed until we could get together all possible facts.

The trial of the case of the State of Florida against Montone and Cali for Robbery Armed has been continued from April 15 to April 22, at the request of Mr. Harry Content, who had an important matter to take care of in New York on April 17. All the New York witnesses, with the possible exception of [redacted] have agreed to be in Miami for the trial on the above date, and we are rather confident that Montone and Cali will be convicted of Robbery Armed and the predicate thus laid for the further development of our case against Scaffa and the others.

From all the facts, hearsay and rumor, thus far absorbed by us in our investigation, we are strongly inclined to believe that the following is what actually occurred in this case:

RECORDED

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INDEXED

MAY 9 1935

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157 SEP 16 1966

Mr. Nathan ✓  
Mr. Tolson .....  
Mr. Backus .....  
Mr. Baughman .....  
Chief Clerk .....  
Mr. Clegg .....  
Mr. Coffey .....  
Mr. Edwards .....  
Mr. Egan .....  
Mr. Harbo .....  
Mr. Keith .....  
Mr. Lester .....  
Mr. Quinn .....  
Mr. Schilder .....  
Mr. Smith ✓  
Mr. Tamm .....  
Mr. Tracy .....  
Miss Gandy .....

47-36-38  
DIVISION OF INVESTIGATION  
APR 12 1935 P.M.  
U. S. DEPT. OF JUSTICE  
TOLSON  
TAMM  
GANDY  
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67C  
J.M.K.  
Letter to Director  
4/11/35  
87-11

67C,  
D

[REDACTED]

As you know, the stickup occurred at the Miami-Biltmore at about 7:00 P.M. Saturday, January 26th. There is no question but that Montone and Cali pulled the robbery and were armed at the time, Montone with a nickel-plated revolver and Cali with a .25 calibre automatic pistol. In making their getaway they were seen and are positively identified by the doorman at the hotel. Cali confessed, after his arrest at Miami, and Montone confessed after his arrest in New York. In New York he admitted that he had brought the jewels from Florida to New York City but gave the names of fictitious parties as those to whom he had delivered the loot.

Montone fled from Florida by air on February 3rd, the day following Cali's arrest there. He was in New York at the Warwick Hotel for four days before he was arrested. During that time he called the telephone number of Frank Costello, one of New York's principal racketeers and slot machine gamblers. Frank Costello is acquainted with another gangster by the name of [REDACTED] and these two were in telephone communication with each other concerning the case. [REDACTED] was apparently wired by Costello or [REDACTED] to represent Montone here. [REDACTED] seemed to be taking his orders over the telephone from [REDACTED] as to the disposition of Montone's case in New York and the arrangements for his return to Florida.

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87-30-38 pages 3 through 8

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which consists of  
82 pages.
- ☒ The following number is to be used for reference regarding these pages:  
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- ☒ For your information: Mr. Castello is mentioned 2 times. C  
in serial 44X and once in serial 45X. Both  
references  
☒ The following number is to be used for reference regarding these pages: 87-30-Serials 40 through 45-X him are  
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**FEDERAL BUREAU OF INVESTIGATION**  
**FREEDOM OF INFORMATION/PRIVACY ACTS SECTION**

**SUBJECT: FRANK COSTELLO**  
**FILE NUMBER: 87-30 SECTION 2**

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XXXXXXFEDERAL BUREAU OF INVESTIGATION  
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179

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Section 552Section 552a☐ (b)(1)☐ (b)(7)(A)☐ (d)(5)☐ (b)(2)☐ (b)(7)(B)☐ (j)(2)☒ (b)(3)☒ (b)(7)(C)☐ (k)(1)Rule 6 (e) Federal☒ (b)(7)(D)☐ (k)(2)Rules of Criminal☐ (b)(7)(E)☐ (k)(3)Procedure (Grand Jury  
material)☐ (b)(7)(F)☐ (k)(4)☐ (b)(4)☐ (b)(8)☐ (k)(5)☐ (b)(5)☐ (b)(9)☐ (k)(6)☐ (b)(6)☐ (k)(7)

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- ☒ For your information: Costello is mentioned on only  
5 of the withheld 179 pages and all 5 ref-  
erences to his  
name are even  
per (b)(7)(C)  
(D).
- ☒ The following number is to be used for reference regarding these pages:  
87-30 - SERIALS 45 through 67

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b7c  
87-11

New York City

b7c  
April 24, 1936

MEMORANDUM FOR THE FILE

Re: [redacted] with aliases, et al  
National Stolen Property Act

REDCOTT 2-3877

Frank Costello, 841 Central Park, W.,  
New York City

b7c  
April 24, 1936 [redacted] on duty.

12:01 A.M. to 3:15 A.M., no calls

3:15 A.M., [redacted] off duty.

3:15 A.M., [redacted] on duty.

8:23 A.M., Woman called Bobby C. Name not used. Conversation general - planned to meet in one hour. Bobby said she had to go by Santini's at 183rd Street & Jerome Avenue to look at some furniture given to Frank.

8:35 A.M. Butler called garage for C's car. Dial record #1 - 4-24-36.

8:50 P.M. Elevator boy opened door and permitted three women to look at apartment. This occurred yesterday - Agent unable to look outer door to prevent this.

7:05 P.M. Man called and asked for Costello - Butler told him Costello was not home - man left no name.

b7c  
Special Agent

b7c  
[redacted] on duty 8 P.M. 8 P.M. to 12 midnight - no telephone calls, either incoming or outgoing.

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Page(s) withheld for the following reason(s): \_\_\_\_\_

- ☒ For your information: Costello is not referenced or mentioned  
among these 7 withheld pages..

- ☒ The following number is to be used for reference regarding these pages:

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Room 1403  
870 Lexington Avenue  
New York, N. Y.

N  
Mr. J. M. Keith,  
Hotel Alcazar,  
Miami, Florida

Re: NICHOLAS NEWTON with aliases, et al  
National Stolen Property Act  
Conspiracy

Dear Sir:

There are transmitted herewith copies of  
memoranda containing record of telephone calls over the  
lines of A. WERT J. DONTENT alias AL HOWARD; C. ALVIN  
SPERD alias "BROADWAY CHARLIE"; and FRANK COSTELLO.

Very truly yours,

R. WHITLEY  
Special Agent in Charge

END.

cc: Bureau

AIR MAIL - SPECIAL DELIVERY

RECORDED & INDEXED

APR 29 1935

87-30-68  
FEDERAL BUREAU OF INVESTIGATION  
APR. 26 1935  
U. S. DEPARTMENT OF JUSTICE

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- ☒ For your information: Costello is not mentioned or  
referenced on any of the withheld 57 page.

- ☒ The following number is to be used for reference regarding these pages:

87-30 Serials 69 through 96

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**FEDERAL BUREAU OF INVESTIGATION**  
**FREEDOM OF INFORMATION/PRIVACY ACTS SECTION**

**SUBJECT: FRANK COSTELLO**

**FILE NUMBER: 87-30 SECTION 3**

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- ☒ The following number is to be used for reference regarding these pages:

87-30 Serials 97 and 98

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JOHN EDGAR HOOVER  
DIRECTOR

EAT:CDW

# Federal Bureau of Investigation

U. S. Department of Justice

Washington, D. C.

May 1, 1935

Time - 10:30 A.M.

## MEMORANDUM FOR THE DIRECTOR

Re: Noel C. Scaffa, et al;  
National Stolen Property Act.

Mr. Nathan	✓
Mr. Tolson	
Mr. Backus	
Mr. Baughman	
Chief Clerk	
Mr. Clegg	
Mr. Coffey	
Mr. Edwards	
Mr. Egan	
Mr. Harbo	
Mr. Keith	
Mr. Lester	
Mr. Quinn	
Mr. Schilder	
Mr. Smith	
Mr. Tamm	
Mr. Tracy	
Miss Gandy	

During a telephonic conversation with Mr. Whitley at the New York City Office, he mentioned the above entitled case, and particularly the telephone tap which is being maintained by the New York Office on the telephone in the apartment of Frank Costello. Mr. Whitley said it appears in the last day or so that Costello got wise to the fact that a telephone tap was being maintained on his telephone, because late yesterday afternoon, Costello called up the [REDACTED]

In this connection, Mr. Whitley advised that the Agents had [REDACTED]

and since [REDACTED]

Mr. Whitley said that Costello was just suspicious about the informing that the apartment of Costello contains six rooms while [REDACTED]

Immediately upon the receipt of this request from Costello, [REDACTED] called Agent [REDACTED] who was on duty at the time, and advised him of this request from Costello. [REDACTED] then got all the [REDACTED]

187-30-99

In view of this, Mr. Whitley said that they immediately discontinued the telephone tap. He said that he had talked to Mr. Keith about this situation, and it was decided that they would place another tap on the office telephone of Costello in the hope of getting some information.

Respectfully,

E. A. TAMM

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FEDERAL BUREAU OF INVESTIGATION

THIS CASE ORIGINATED AT JACKSONVILLE, FLORIDA

N.Y. File 87-11 PD

REPORT MADE AT: NEW YORK CITY	DATE WHEN MADE: 4/16/35	PERIOD FOR WHICH MADE: 3/29 - 4/13	REPORT MADE BY: J. M. KEITH
TITLE: Changed: [REDACTED]			CHARACTER OF CASE: NATIONAL STOLEN PROPERTY ACT; CONSPIRACY.

ALBERT J. CONTEMPTO alias Al Howard,  
CHARLES ALVIN STERN alias Stearns alias Charles  
SYNOPSIS OF FACTS Steinberg alias "Broadway Charlie".  
FRANK COSTELLO NOEL C. SCAFFA

48315

SYNOPSIS OF FACTS: Briefly, the investigation thus far made shows that on 1/26/36 [REDACTED]

[REDACTED]

Jewels not recovered New York.

[REDACTED] in frequent conversation with "Broadway Charlie" Stern over telephone. Latter in frequent communication, same method, with Frank Costello. Al Howard flew Miami to New York day of [REDACTED] arrest; taken into custody by police, questioned and released. Returned Miami by air immediately. In frequent telephone conversation with Frank Costello. [REDACTED] returned in [REDACTED] Al Howard flew to New York again 3/2/35, returned March 8th. "Broadway Charlie" proceeded New York to Miami February 28th. [REDACTED] sent word on 3/10/35 he wanted to see "Broadway Charlie" at the county jail. Conference held 3/11/35. [REDACTED] conferred 3/11/35 with "Broadway Charlie" at the Westwood Hotel. Same date [REDACTED] sent telegram Noel C. Scaffa, New York, asking to see him as soon as possible. Scaffa flew to Miami 3/13/35; conferred with [REDACTED] at the County Jail,

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	87-30-104	RECORDED AND INDEXED: MAY - 6 1935
COPIES OF THIS REPORT FURNISHED TO: ② - Bureau 3 - Jacksonville 5 - New York Encls. all offices.		BUREAU OF INVESTIGATION DEPARTMENT OF JUSTICE ROUTED TO: FILE	CHECKED OFF: MAY 9 1935 JACKETED: MAY 9 1935

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N.Y. 87-11

The title of this report is marked "changed" for the reason that letters, telegrams and preliminary reports, as far submitted have not mentioned the names of anyone but [redacted] and [redacted]

This is a joint report of Special Agent in Charge John M. Keith, Washington Field office, and Special Agent [redacted] New York City office.

Due to the extensive ramifications of this case developed to date, the initial report is submitted in the form of a chronological summary of facts thus far developed. Since the investigation is not yet completed, some of the facts set forth on the dates when they occurred may later develop to be irrelevant but they are nevertheless recorded for possible future use.

DETAILS:

JANUARY, 1935

[redacted] who with his wife was a member of the Bell-Content party at the Miami Biltmore Hotel on January 26, 1935 at the time of the robbery, admits that he [redacted]

AUGUST, 1934.

The Bell-Content party accompanied by [redacted] visited Saratoga during the season and while there gambled in Al Howard's Brook Club. [redacted] admits seeing and talking with [redacted] while gambling in this club but claims he did not then know his name. He says [redacted] told him he was working for Al Howard, the proprietor of the gambling club.

DECEMBER, 1934.

On December 13th, Al Howard checked into the Fleetwood Hotel at Miami Beach, Florida, [redacted] He remained until Christmas Eve. Apparently he had gone there to arrange for the opening of the Embassy Club, a gambling hall to be conducted by him at Miami Beach during the season.

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- ☒ The following number is to be used for reference regarding these pages:

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N.Y. 87-11

A call was made on this date from the room occupied by [redacted] at the Bowman Hotel, Miami Beach, to [redacted]. Another call was made to this same party from the same room. It is to be noted that Al Howard or possibly also called this same party. She will be located and interviewed as soon as possible.

FEBRUARY 1st.

On this date the Content-Bell party left Miami in their special car for the return trip to New York.

A long distance call was made from the room occupied by [redacted] to Endicott 2-3677. This is the unlisted New York telephone of Frank Costello, slot machine racketeer, who is alleged to be backed by Capone money. Either [redacted] on this date also made local calls in Miami to the Palm Court, the Venetian and the Fleetwood Hotel, where Al Howard was stopping.

[redacted] on this date forwarded Scaffa another report which recorded the fact that the Bell-Content party had left Miami. Harrington wanted a complete description of the Bell jewelry because the police were anxious to obtain the same.

FEBRUARY 2nd.

From [redacted] room at the Bowman Hotel two long distance calls were made to Frank Costello, Endicott 2-3677, New York City. A local call was made in Miami to an unlisted telephone, number 5-3852, the identity of the subscriber not as yet having been ascertained. Also from [redacted] room Western Union at Miami was called twice, the Palm Court Hotel twice and the Eastern Airline once.

The Bell-Content party arrived back in New York on this date.

[redacted]

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N.Y. 87-11

[REDACTED]  
This was done.

[REDACTED]  
On this same date [REDACTED]

been located for [REDACTED] neither of these telegrams has

From his hotel room at the Warwick on this date [REDACTED]  
called Endicott 2-3677, the unlisted number of Frank Costello, 241  
Central Park, West. He [REDACTED]

[REDACTED]  
The materiality, if any, of these phone calls has not been established.

FEBRUARY 5th.

On this date [REDACTED]

At Miami on this date the two travelling bags [REDACTED]

In the meantime [REDACTED]

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N.Y. 87-11

later statement to the police at New York, Al Howard on his arrival at New York on this date wired \$2,000 to [redacted] at Miami Beach. [redacted] in [redacted] [redacted] of the Pinkerton Agency informed Special Agent in Charge [redacted] that Howard claimed to have borrowed \$2,000 from this man [redacted] instead of \$2,000. At any rate, \$2,000 was telegraphed. [redacted] of [redacted] admits receipt of this \$2,000 and states instructions accompanying it were to [redacted] of Al Howard and also [redacted] and [redacted] whom he had [redacted] on January 28th, leaving an unpaid bill. The total amount was \$650. Howard's instructions were that the balance was to be turned over to [redacted] accountant for Al Howard at Miami Beach and connected with the Embassy Club. It is probable that later developments will show that Howard procured such money as he obtained in New York from Frank Costello, who according to sources of information, has been backing Howard financially for sometime. It is also suspected that the money procured by [redacted] and Howard in New York was in connection with the delivery of the jewels in New York. This will, of course, be the subject of further investigation at the proper time.

FEBRUARY 8th.

During the night of the 7th the questioning of [redacted] had continued at New York City Police headquarters. The detectives participating in this interrogation were [redacted] and [redacted] of the Pinkerton Detective Agency. During the night [redacted] according to these three men. He first stated that [redacted]

[redacted] He later changed this story and said he had [redacted]

[redacted] In the meantime at 3 A.M. Al Howard had been picked up by the police for questioning. He denied all knowledge of the robbery and stated he had come to New York to borrow money in an effort to reopen his Embassy Club at Miami Beach. His statements as to the source and amount of this money are set forth under the previous date.

Howard was required to confront [redacted] and according to the police, made a half hearted effort to get [redacted] to tell the location of the jewelry. [redacted] stuck to his story about [redacted]

[redacted] and then finally denied the whole thing. [redacted] now claims he was third degreed. At any rate, he was held twenty two hours at police headquarters before being booked at the Tombs on February the 9th. Al Howard was released by the New York police upon telegraphic notification from [redacted] at Miami Beach that they had nothing on him there.

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[redacted] Scaffa operative, submitted a report that he had the arraignment in District Magistrate's Court of [redacted] at 11 A.M. that [redacted] had presented the letter from the Florida authorities stating extradition papers were being prepared. [redacted] was held without bail until February 18th for further hearings.

FEBRUARY 14th.

According to the records at the Tomba [redacted] again visited [redacted] at 11:15 A.M. The New York police began a tap on the telephone of Frank Costello, Endicott 2-3677 (unlisted), 241 Central Park, West, New York City. The street directory issued by the telephone company reflects this phone was issued to [redacted] and is marked as "not published". The New York police also placed a tap on the telephone of G. Alvin Stern alias "Broadway Charlie", Riverside 9-4492. This phone is listed to [redacted]

FEBRUARY 15th.

Al Howard from the Fleetwood Hotel in Miami made a long distance call to Algonquin 4-4390, listed to the Alliance Distributing Company, 153 Fifth Avenue, New York City. He made a second long distance call to New York - Eldorado 5-8934, listed to the Waldorf Astoria Corporation, 301 Park Avenue.

During the forenoon [redacted] again visited [redacted] at the Tomba.

Scaffa phoned his operative [redacted] at Palm Beach 7141 (police headquarters). Scaffa declares this was about another case.

Over the telephone tap [redacted] was heard to call "Broadway Charlie" at 11:40 A.M., informing him he had just left the court room; that he intended buying some cigars for [redacted] Stern replied: "I sent a coon down with some, he has enough".

At 12:45 P.M. on this date Costello telephoned an unknown number and talked with a party by the name of [redacted]. He asked [redacted] if he had seen "those fellows" and [redacted] replied "Don't use any names over the phone. Everything is apparently coming out all right. The only thing to do is to be careful of paste".

FEBRUARY 17th.

At 12:45 P.M. on this date over the tap "Broadway Charlie" Stern was heard to call Costello at Endicott 2-3677 as follows:

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Stern: " Hello - is this Mr. Costello?

Costello: Is this Charlie?

Stern: Yes - hello Frank. When am I going to see you?

Costello: I'll see you later.

Stern: What time? I would like to have a chat with you relative to that thing. He's calling me up and it's getting now (?) I'm giving him I'm not in. "

[redacted] called Stern relative to the legal fee for [redacted] It is understood that [redacted] has not yet been paid his fee. Later conversations indicate that Stern was giving [redacted] his orders as to the handling of the case.

Later on this date Frank Costello telephoned Stern to come right over.

FEBRUARY 18th.

On this date [redacted] waived extradition to Florida and was started back in custody of [redacted] a henchman of [redacted] who is under the domination of Governor Dave Scholz of Florida and who is not friendly to this prosecution, according to information furnished by confidential informants at Miami.

From the telephone tap it was ascertained that [redacted] called Broadway Charlie Stern at 12:25 P.M. whereupon the following conversation ensued:

[redacted] Charlie? They drew the waiver. Sheriff is here. He was discharged in Magistrate's Court, and we are waiting here on the seventh floor at the D.A.'s office. I won't surrender him unless they have a copy of the indictment.

Stern: Are they here?

[redacted] Yes. Sheriff won't let me know whether he will go back today or not. - They went over to headquarters to get the indictment and we are waiting here. What's to be done?

Stern: Nothing is to be done.

[redacted] Will he go alone?

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be at the Hotel Flamingo desk at 6:15 P.M.; that he agreed to be there; that no mention was made as to why he was wanted there; that he and [redacted] drove to the hotel in [redacted] Buick sedan automobile, parked the car in front of the hotel, went inside and made inquiries as to the identity of the one who had called them. [redacted] could learn nothing from the desk clerk, telephone operator or hotel manager and believing that they had been mistaken as to the place where they should be, had returned to their car, finding the jewelry in a package on the floor of the car by the front seat.

Scaffa, [redacted] and [redacted] all agreed that Mrs. Bell was communicated with by telephone and informed that her jewelry had been recovered and that arrangements were made with her and Mr. Content to examine it the following day, at Greenleaf & Crosby's, Miami Jewelers. Scaffa claims that he tried to make a reservation for a seat on the plane back to New York that night but could get none and had to wait until the following morning. Scaffa declares he had not in any way communicated with [redacted] or [redacted] on the afternoon of March 18th between the time he left them at lunch and the recovery of the jewelry.

Scaffa absolutely denied that he had any knowledge of the identity of the person who returned the jewelry to [redacted]. He admitted that he knows Al Howard, having on occasion been in the latter's Brook Club at Saratoga during the summer season of 1934. He denies positively that he knows "Broadway Charlie" Stern or was aware that the latter was then registered at the Fleetwood Hotel. He denies knowing [redacted]. He admits he knows of [redacted] just as he knows of other crooks. He denies that he knows Frank Castellor. He denies that any of the above-mentioned parties were ever in communication with him, either directly or indirectly, concerning the Bell jewels or this robbery.

While in New York on this investigation Agents had succeeded in procuring from the office of Toplis & Harding the reports submitted to them by Noel Scaffa on this case. The report of [redacted] covering the transactions on March 18th is very significant. It reads as follows:

"Mr. James Bell

[redacted] Reports:

March 18th, 1935.

Miami, Fla: at 9 A.M. I joined Prin. N.C.S. At 10 a.m. [redacted] joined us.

Prin. N.C.S. and [redacted] left for Flamingo Hotel for conference with Mr. Bell and Mr. Content, who had arrived in Miami Sunday night.

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[REDACTED] It was suggested to [REDACTED] that arrangements be perfected through [REDACTED] whereby all present efforts would be devoted to the [REDACTED]

[REDACTED] It also was suggested that the case from that point be left to the Bureau of Investigation for development in view of the fact that the Federal Grand Jury may compel the attendance of the necessary interstate witnesses and that the United States Attorney, free from local entanglements, might proceed with a vigorous prosecution.

[REDACTED] Of course, the consummation of these plans depends almost entirely upon [REDACTED]

The penalty for robbery armed in Florida is imprisonment at from twenty years to life.

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This investigation is, of course, incomplete but this report, in the nature of a summary, is submitted at this time in order that the Bureau and all interested officials may be informed of the true situation. The detailed statements obtained by Agents from the various persons interviewed at New York and Miami are attached hereto. No leads are set forth in this report for the reason that most matters yet remaining to be done in this investigation will be accomplished by the Agents specially assigned. Agents submitting this report from New York City plan to return to Miami immediately in order to complete other angles of the case there and to be present to assist in the State Court prosecution, if necessary.

The Special Prosecutor and [REDACTED] are confident that [REDACTED] It should be noted that [REDACTED]

[REDACTED] The question of double jeopardy, of course, arises but [REDACTED]



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AT MIAMI BEACH, FLORIDA

Keith and [redacted] was interviewed [redacted] by Special Agents [redacted] on April 1, 1936. He expressed a willingness to cooperate but did not want his name mentioned, emphasizing that he has been a good fellow to most of [redacted] many of whom are of the gambling fraternity, and he wants there to be no kick-back because of his cooperation. He remarked that [redacted]

[redacted] short cuts by going direct to [redacted] that authorities were taking hoodlums and that he did not feel [redacted] for location of these to the best interests of the hotel. Incidentally, [redacted] would be conducive was closing for the season and the records were being sent to the hotel owners at Cleveland, Ohio.

[redacted] made remarks to the following effect:

[redacted] to learn that [redacted] have heard of the jewel robbery and was surprised known [redacted] and [redacted] were implicated. Had not previously Considers [redacted] as a very fresh kid, of the hoodlum type. Thinks [redacted] has been stepping out of his class by associating with bigger type hoodlums. Figures [redacted] has made a little money and has been spoiled by living at the better hotels and mingling with people of means. Had known [redacted] had worked for Al Howard at the Embassy Club. [redacted] and [redacted] had stopped at the Fleetwood on the previous season, and [redacted] difficulty was experienced in collecting bills. [redacted] had instructed that [redacted] were not to be accepted as guests, however, [redacted] talked [redacted] into letting [redacted] and [redacted] stay at the Fleetwood. Understood from [redacted] of the Hangar Club that [redacted] owed [redacted] about \$500.00 the previous season. Al Howard is connected with Frank Costello, a New York gambler, who is alleged to be associated with the Al Capone outfit. First claimed it was about on Thursday, January 23, but later changed it to Saturday, January 26, when [redacted] had a serious argument with [redacted] On such occasion [redacted] was with [redacted] in the Hangar Club when [redacted] who had too much liquor became disagreeable and invited [redacted] out to the men's wash room to settle it with fists. Accordingly, [redacted] would like to see [redacted] get what is coming to him.

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AT MIAMI BEACH, FLORIDA

[REDACTED] when interviewed,  
professed ignorance of any helpful information. He did [REDACTED]

[REDACTED]  
[REDACTED] professed to have no first hand information of interest,  
He [REDACTED]

[REDACTED] delivered to agents a listing he had prepared  
of telephone calls made by [REDACTED]  
[REDACTED] He furnished merely the numbers called and the dates on which  
made. The following tabulation represents the calls made by [REDACTED]  
[REDACTED] with the listings of the telephone  
numbers.

<u>Date</u>	<u>Phone number</u>	<u>Listed under name of</u>
1/29	5-2131	Fleetwood Hotel, Miami Beach
1/31	5-2334	[REDACTED]
1/31	4-9384	Palm Court Hotel 509 23rd St., Miami Beach (semi-public).
1/31	2-7487	Miramar Hotel, 421 N.E. 17 Terrace Miami
2/1	Endicott 3-2677 N.Y.C.	Frank Costello, 241 Central Park W. New York City.

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2/1/35	5-9384	Palm Court Hotel (previously called on 1/31/35).
2/1/35	5-2131	Fleetwood Hotel, Miami Beach
2/1/35	2-8451	Venetian Hotel, 1401 North Bayshore Drive, Miami.
2/2/35	Endicott 3-2677 NYC	Frank Costello, 241 Central Park W. ✓ New York City.
2/2/35	5-1101	Western Union, Miami Beach
2/2/35	5-9384	Palm Court Hotel 309 23rd St., Miami Beach (also called 1/31/35 and 2/1/35).
2/2/35	2-8425	Eastern Air Lines, Miami
2/2/35	5-9384	Palm Court Hotel 309 23rd St., Miami Beach (previously called on 1/31, 2/1 and 2/2).
2/2/35	5-3852	Unlisted; identity of subscriber denied.
2/2/35	Endicott 2-3677 NYC	Frank Costello, 241 Central Park W. ✓ New York City.
2/3/35	5-2334	[REDACTED] (previously called twice on 1/31. This number was also called by Al Howard from the Fleetwood Hotel).
2/3/35	5-1221	Floridian Hotel, Miami Beach
2/3/35	Canal 24	Eastern Air Lines, Air Port, Miami

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[redacted] also made available the original pencil notes made by New York City Police Detective [redacted] covering the telephone tap on Charles Stern's phone (Hiverside 9-4492), Apartment 12-E, 697 West End Avenue.

Sheet of 2/14/35 shows Western Union called Stern; a party named [redacted] at Western Union advised: "We traced that telegram from the Miami office here to [redacted] at Apartment 12-E, your address."

Stern: Well, there is no [redacted] here. The name is Stern.

Western Union: Well, if you stop down to the office about 9 A.M. tomorrow we will see what happened to that message. You are to see A - E 41 Delivery Sheet; Messenger Boy 2520.

Sheet showing notes of 2/15/35.

At 11:40 A.M. [redacted] called Stern:

Bollt: Yes, I know. I want to get something.

Stern: I am waiting for a call. I expected it before 12. Where are you? Downtown?

Bollt: Yes. I just got out of court. I'll bring that fellow some cigars.

Stern: I sent a coon down with some. Don't go there with any. He has enough. - - -

Other miscellaneous conversations reflect that one [redacted] had called Frank Costello on several occasions. Further that Mrs. Frank Costello had been stopping at the Hollywood Beach Hotel in Miami.

On February 17, Frank Costello phoned to Stern, asking Stern to come over. Stern replied he would do so right away.

The police also had a telephone tap on Frank Costello's telephone (Endicott 2-3677) located at 241 Central Park West.

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On 2/19/35 Frank Costello sent a telegram to  
Lusa (apparently Louise) B. Costello care of [REDACTED]  
[REDACTED] saying was unable to get  
her on the phone.

Sheet of 2/15/35.

At 12:45 P.M. from the Costello tap the following was recorded:

The maid answered.

Out. Asked if it were [REDACTED]

In. Yes.

Out. Asked if he saw those fellows.

[REDACTED] told him not to use any names over the  
phone and that everything was apparently coming out all right.  
"The only thing is to be careful of Paste".

Stern phoned on several occasions to Schuyler  
4-0635 which the police later eliminated, as being Stern's tailor.

On February 17, 1935 at 12:45 P.M. on tap of  
Stern's phone, the following was overheard:

Call was made to Endicott 2-3677.

In. Asked for Mr. Costello.

Out. Asked for Charlie.

In. Yes, Hello, Frank. When am I going to see you?

Out. I'll see you later.

In. What time? I'd like to have a chat with you  
relative to that thing. He's calling me up and  
it's getting now I am giving him that I am not  
in.



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Scaffa, on further questioning, repeated that he knew Al Howard only by sight and had not such name only on one occasion. Says only has heard of Frank Costello. Scaffa denied having received any communication of any kind from Frank Costello, C. Alvin Stern alias "Broadway Charlie", or Al Howard while [redacted] was in New York City. Repeats he has no information which he has not disclosed with reference to the return of the jewelry at Miami Beach. Claims [redacted] did not agree to return the jewelry if leniency were shown when interviewed by Scaffa on March 13th. Claims to have his doubts as to whether his efforts brought about the return of the jewelry. Claims his agency would have been paid their \$2500.00 fee whether or not the jewelry had been returned. When questioned as to what work his agency had done in earning this fee, Scaffa claims Operative [redacted] aided the New York Police in the arrest of [redacted] and further that the New York Police would not have worked so quickly had not his agency exerted pressure on them.

Scaffa says he saw [redacted] every day while in Miami; on one day saw [redacted] three times; that the subject of discussion was when Scaffa would get word from Content and [redacted] "I was confident that [redacted] could bring about the return of the jewelry"; had never met [redacted] before; that [redacted] came to see Scaffa on [redacted] recent visit to New York; that [redacted] informed Scaffa about the things the newspapers around Miami were publishing. [redacted] mentioned statements that [redacted] and [redacted] are supposed to have made; mentioned the engagement of Worley as a special prosecutor; that Cohen claimed to be in New York for the purpose of interviewing the doctors who had treated [redacted] after the brutal treatment by the New York Police; that nothing was said with [redacted] about the party who may have returned the jewels. Believes he saw [redacted] only about ten minutes in Scaffa's office and believes that [redacted] mentioned his intention of returning to Florida that afternoon or night. Scaffa claims not to know who else [redacted] saw in New York.

Scaffa repeated that the identity of the person who turned up the jewelry is still a mystery to him. Claims not to have told [redacted] anything to indicate that [redacted] might expect Scaffa would submit any report on this matter. Claims never to have heard from any source that the jewelry was brought to New York. Claims that Special Prosecutor Worley is also counsel for the Miami Daily News of which a party named [redacted] is writing special articles on this case.

[redacted] declined to permit Scaffa to sign any written statement on this matter. [redacted] requested that if any further interview was had with Scaffa, arrangements be made whereby [redacted] would be advised in advance in order that he may be present.

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caption on page 1 of this serial.

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## FEDERAL BUREAU OF INVESTIGATION

**Form No. 1**

**THIS CASE ORIGINATED AT**

**JACKSONVILLE, FLORIDA**

N. Y. FILE #87-11 OR

WILSON, J. J. alias J. J. Wilson  
 CHARLES ALVIN WILSON alias Charles Alvin Wilson  
 WILSON, Charles Alvin alias Charles Alvin Wilson  
 WILSON, Charles Alvin alias Charles Alvin Wilson

SYNOPSIS OF INFORMATION: Telephone connections established with Telephone of Albert J. Caproni, 241 West Avenue, New York City, phone 2-4412; Frank Bertelli, 241 Central Park West, Apartment 2-6077; G. Alvin Stern, 241 West End Avenue, New York City, Riverside 9-4492. Telephone connection and telephone out-in established

[REDACTED]

19, 1935 at Birmingham, Alabama, in the Southern District of New York, on April 22, 1935, records of the Birmingham Telegraph Company, 200 First Avenue North, Birmingham, Alabama.

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE		
COPIES OF THIS REPORT FURNISHED TO:		BUREAU OF INVESTIGATION	CHECKED OFF:
2-Bureau (Encl. 24) 3-Jacksonville 3-New York		DEPARTMENT OF JUSTICE	JACKETED:
		ROUTED TO:	FILE

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- 6 -

In view of information obtained a subpoena was issued for Scaffa's appearance before the Grand Jury at New York City on May 29, 1935, at which time he appeared and testified.

On May 29, 1935, Noel C. Scaffa, [REDACTED], Al Howard and "Broadway Charlie" Stern, were taken into custody by Special Agents of the Federal Bureau of Investigation for questioning. On May 30, 1935, complaint was filed before United States District Judge Caffey in New York City, charging Noel C. Scaffa with violation of the National Stolen Property Act, and he was released for further hearing upon furnishing bond in the sum of \$10,000. Complaints were likewise filed against [REDACTED] Howard, and Stern on May 31, 1935, and on June 1, 1935, Howard was released for further hearing upon furnishing bail in the sum of \$10,000, while Stern was released for further hearing upon furnishing bond in the sum of \$5,000. On June 2, 1935, Dykes was released for further hearing upon furnishing bond in the amount of \$5,000. On May 31, 1935, Frank Costello, accompanied by his attorney, surrendered himself to Special Agents of the Federal Bureau of Investigation, and on the same date a complaint was filed and he was released upon furnishing bail in the sum of \$7,500 for further hearing. In each of the above instances, the hearing before the United States Commissioner was set for June 13, 1935.

On June 7, 1935, the Federal Grand Jury returned an indictment charging Scaffa with having committed perjury in his testimony before the Grand Jury in violation of Title 18, Section 231 of the United States Code. Another indictment was returned on the same date charging [REDACTED] Howard, Stern, Costello, [REDACTED] and Scaffa in two counts, the first count charging violation of the National Stolen Property Act in violation of Title 18, Section 415 of the United States Code, and the second count charging conspiracy to violate Title 18, Section 88 of the United States Code.

Certified copies of the indictment and bench warrant were lodged as detainers for [REDACTED] and [REDACTED] at the Dade County, Florida Jail.

On June 11, 1935, all of the above named persons, with the exception of [REDACTED] and [REDACTED] were arraigned in the United States District Court at New York City, at which time the bail which each had previously furnished was continued. The trial of Scaffa on the perjury charge was set for July 2, 1935 and was subsequently continued until July 15, 1935.

After another continuance, the case came up for trial on July 22, 1935. At the beginning of the trial, an instructed verdict was requested by the defense as to all six counts of the indictment, which was granted as to two of the counts and denied as to the remaining four. On July 26, 1935, the jury brought in a verdict of guilty on three counts of the indictment and a verdict of not guilty on one count. Sentence was deferred by the court for two weeks.

**FEDERAL BUREAU OF INVESTIGATION**  
**FREEDOM OF INFORMATION/PRIVACY ACTS SECTION**

**SUBJECT: FRANK COSTELLO**

**FILE NUMBER: 87-30 SECTION 4**

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**Section 552**

**Section 552a**

☐ (b)(1)

☐ (b)(7)(A)

☐ (d)(5)

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☐ (b)(7)(B)

☐ (j)(2)

☐ (b)(3)

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☐ (b)(7)(D)

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☐ (b)(7)(E)

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FBI/DOJ

87-30-139  
Changed to 87-65

RECORDED & INDEXED

MAY 24 1935

MAY 23 1935

Room 1403

1000 Lexington Avenue  
New York, N. Y.

RECEIVED  
MAY 24 1935

Special Agent in Charge  
Detroit, Michigan

Re: [REDACTED]  
ALBERT J. CONTENTE with alias  
CHARLES ALVIN STERN alias Stearns  
alias Charles Stearns alias  
"Broadway Charlie"  
FRANK COSTELLO

JOHN C. STARR

National Stolen Property Act;  
Conspiracy.

Dear Sir:

One of the characters of interest in this case is known  
around New York as "Broadway Charlie". His correct name is be-  
lieved to be Charles Stearns, with the alias of C. Alvin Stern  
or Stearns. He is one of the associates of Albert J. Contente  
alias Al Howard, and of Frank Costello, both of whom are engaged  
in illegal activities around New York and Miami, Florida. In in-  
stant case Stern has been the go-between in arranging attorneys  
for the two thieves, Costello and Call. It is believed that Al  
Howard has been directing the activities of Stern in this respect.

An attempt is being made to illicitly obtain all pos-  
sible information concerning Stern. In answer to a request on  
this New York City Police Department the following information is  
obtained under date of April 5, 1935.

"C. A. STARRS" Case 47-1-12-17-20.  
Wanted as a fugitive for Grand Rapids, Michigan  
for larceny of considerable amount of money by  
a stock deal from one of the best citizens of  
the town. No arrest has been made to date.

Description: A Hebrew 5-8-140 lbs. and dark  
complexion.

**FEDERAL BUREAU OF INVESTIGATION  
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**Section 552**

**Section 552a**

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☐ (b)(3)

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☐ (k)(1)

☐ (b)(7)(D)

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☐ (b)(7)(E)

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FBI/DOJ



New Orleans, La.,  
May 21, 1935.

I, [REDACTED], a resident of New Orleans, Louisiana, residing at [REDACTED], make the following voluntary sworn, signed statement to Special Agent [REDACTED] of the Federal Bureau of Investigation, United States Department of Justice.

I was employed by [REDACTED]

I have never been arrested or fingerprinted for any crime but was fingerprinted in Miami, Florida, when I [REDACTED]

I was born in [REDACTED] My father and mother are both deceased and I have an aunt and uncle residing in [REDACTED]

I have been shown a photograph of an individual represented to me to be Noel C. Seaffa and positively identify this individual as the one [REDACTED]

The identified individual, Noel C. Seaffa, did not converse with me other than [REDACTED] and I did not see him meet or talk with anyone. I do not remember that he had any package or other baggage with him at the time.

I describe Noel C. Seaffa, as best I remember on March 18, 1935, as age 40 to 45, height 5'10", weight 160 or 165 lbs., dark complexion, dressed in a light colored [REDACTED]

3-6-35 647 22 1935

suit, a rather sporty, northern type suit, not lined. He had on a felt hat, pushed to the side of his head. His actions were somewhat forward, and he walked with an important air. I have never seen this individual before or since.

I do not personally know [REDACTED]

[REDACTED] however, I do know [REDACTED] reputation, but have never conversed with him or had any connections with him.

The above statement is given by me voluntarily to Special Agent [REDACTED] who, I have been informed, is a Special Agent of the Federal Bureau of Investigation, United States Department of Justice. It has been read to me by Agent [REDACTED] and by me personally, and is signed by me voluntarily in the presence of Special Agent [REDACTED]

[REDACTED]  
Special Agent,  
Federal Bureau of Investigation,  
United States Department of Justice,  
New Orleans, Louisiana.

Subscribed and sworn to before me this  
31st day of May, 1935.

[Signature]  
Reginald M. Carter, J.A.,  
United States Commissioner.

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Section 552

Section 552a

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☐ (b)(3)

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☐ (k)(1)

☐ (b)(7)(D)

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☐ (b)(7)(E)

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☒ The following number is to be used for reference regarding these pages:

87-30 - Unrecorded serials dated May 22, 24, & 25, 1935

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FBI/DOJ

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**Section 552**

**Section 552a**

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- ☒ For your information: Costello is mentioned only in the caption on page 1 of serial 143.

- ☒ The following number is to be used for reference regarding these pages:

87-30-Serials 142-145.

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FBI/DOJ

## FEDERAL BUREAU OF INVESTIGATION

FORM NO. 1

THIS CASE ORIGINATED AT JACKSONVILLE, FLA.

N.Y.

FILE NO. 87-11

NB

REPORT MADE AT: NEW YORK CITY	DATE WHEN MADE: 5/20/35	PERIOD FOR WHICH MADE: 5/15/35 - 5/20/35	REPORT MADE BY: [REDACTED]
TITLE: JOEL C. SARPA et al			CHARACTER OF CASE: NATIONAL STOLEN PROPERTY ACT; CONSPIRACY, ETC.
SYNOPSIS OF FACTS: [REDACTED] Lombardy Hotel, New York City was acquainted with [REDACTED] and [REDACTED] met them April or May 1934, and in August 1934 she was robbed of jewels valued at \$90,000. Has casual acquaintance with Howard, and knows [REDACTED] through a friend, [REDACTED] resident of the Dorset Hotel. [REDACTED] at present residing at Hotel Wyndham, New York City. [REDACTED] New York City Police Department states information relative to presence of Bell-Content jewelry in New York received from informant whose name is unknown to him, but who frequents [REDACTED] that informant indicated he had heard jewels were offered for sale to [REDACTED] insurance company investigator, states he received information that the jewels were displayed in Dave's Blue Room, New York City, following the robbery in Miami. [REDACTED] passengers on plane arriving in New York from Miami February 4, 1935, unable to identify photographs of [REDACTED] and Howard, or furnish information relative to means of conveyance from airport used by [REDACTED] 300 Central Park West, friend of Costello, believed to be bookmaker.			
DETAILS: [REDACTED]			
APPROVED AND FORWARDED: [REDACTED] SPECIAL AGENT IN CHARGE			
COPIES OF THIS REPORT FURNISHED TO: 2 - Bureau (Enclosure - 1) 3 - Jacksonville 5 - New York (1 - U.S. Atty. SDNY)		87-30-146 BUREAU OF INVESTIGATION MAY 29 A.M. DEPARTMENT OF JUSTICE ROUTED TO: [REDACTED] FILE [REDACTED]	
RECORDED AND INDEXED MAY 25 1935 CHECKED OFF: JUN 4 1935 JACKETED:		STAT. SEC.	

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**Section 552**

**Section 552a**

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FBI/DOJ

[REDACTED]

[REDACTED]

It was ascertained

that Costello owns Robinson Automobile and stores it at the Major Garage, 213 West 84th Street, telephone Endicott 2-6270, New York City.

Effort has also been made to establish the business office of Frank Costello, and through the telephone cover it was determined that he frequently talked to Algonquin 4-4390, the subscriber of which is the Alliance Distributors, Inc., a wholesale wine and liquor business, and through [REDACTED] of the Alcoholic Beverage Board, 80 Centre Street, New York City, the information was obtained that the officers and directors of that concern are as follows:

[REDACTED]

[REDACTED]

The New York State liquor license number of the corporation is LL 145, serial number 1-168. The files of the board contain nothing additional to the foregoing, and consequently could not be definitely established through the board whether or not Costello has any connection with the firm.



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## Section 552

## Section 552a

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**Section 552a**

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FBI/DOJ

# Federal Bureau of Investigation

U. S. Department of Justice

Washington, D. C.

May 30, 1935.

Time: 5:20 A.M.

## MEMORANDUM FOR THE DIRECTOR.

Re: Bell Jewel Robbery Case.

Chief Clerk .....  
Mr. Clegg .....  
Mr. Coffey .....  
Mr. Edwards .....  
Mr. Egan .....  
Mr. Harbo .....  
Mr. Keith .....  
Mr. Lester .....  
Mr. Quinn .....  
Mr. Scheidt .....  
Mr. Schilder .....  
Mr. Smith .....  
Mr. Tamm .....  
Mr. Tracy .....  
Miss Gandy .....

Mr. Whitley called from New York. He advised he was calling at Mr. Keith's request as Mr. Keith was taking a statement from "Broadway" Charlie Sterne. Mr. Whitley advised that Scaffa, [redacted] Howard have all been picked up; that statements have been taken and all are now locked up at the Federal Detention Headquarters. awaiting action Friday. Mr. Whitley advised that Mr. Keith is now taking a statement from "Broadway" Charlie Sterne.

Mr. Whitley advised that the only one out is Frank Costello; that a cover has been on at his apartment and garage all night but apparently he has been tipped off by some of the men already picked up or some of their friends. Costello is thought to have come to his apartment but was tipped off or signalled to before he got there. Mr. Whitley will continue efforts to apprehend Costello.

Mr. Whitley stated that Mr. Keith informed him that the above named men had done a great deal of lying; that they had been denying the principal issues but at the same time they were making certain admissions as to contacts and associations and connections that might be helpful.

Mr. Whitley advised that, with the exception of Costello, every thing had gone off as planned. He stated that Mr. Keith thought that Costello had been tipped off and would probably be in either today or tomorrow with a lawyer and bondsman.

Respectfully,

RECORDED  
&  
INDEXED

87-30-148

JUN 4 1935

MAY 31 1935

RE

ARK.

# Federal Bureau of Investigation

U. S. Department of Justice

Washington, D. C.

May 30, 1935.

## MEMORANDUM FOR THE DIRECTOR

Time: 11:20 A.M.

Re: Bell Jewel Robbery Case.

Mr. Coffey .....  
Mr. Edwards .....  
Mr. Egan .....  
Mr. Harbo .....  
Mr. Keith .....  
Mr. Lester .....  
Mr. Quinn .....  
Mr. Scheidt .....  
Mr. Schilder .....  
Mr. Smith .....  
Mr. Tamm .....  
Mr. Tracy .....  
Miss Gandy .....

Mr. Keith called and stated that Scaffa had just been arraigned and bond set at \$10,000. which he is trying to make. On a commissioners complaint, charging that he caused the jewelry to be transported from New York to Miami. He stated that the commissioners complaint, filed by Mr Adams, does not cover either of the indictments which will be returned tomorrow. The charges in the indictment being perjury and conspiracy to transport. Mr. Keith stated he believed Scaffa would raise bail by nightfall. I requested the details as to what we had on Costello. He stated that Costello backed Howard; has been friendly with [redacted] and [redacted] that [redacted] and the rest communicated with Costello immediately after the robbery. He stated that Howard came to New York just after the robbery; apparently to arrange the market for disposition of the jewels. That [redacted] and [redacted] started calling Costello by long distance telephone and that [redacted] men flew through with the jewels, we think. As soon as [redacted] got to New York he called Costello. Mr. Keith stated that we have a statement from "Broadway" Charlie Sternes that Howard, who was in New York, and [redacted] and Costello were all three encountered by him at a certain Turkish Bath place here. As soon as [redacted] arrived he wired \$1,000 and shortly after, Al Howard wired \$2,000 down to Florida for pay obligations. Then "Broadway" Charlie Sternes, who is also an intimate of Costello, started hiring lawyers and going to the front for these fellows. I requested details as to whom this money was wired in Florida. Mr Keith stated that [redacted] wired \$500.00 to [redacted] and who is supposed to be the finger man on the job. Al Howard wired his \$2,000.00 to the manager of the Fleetwood Hotel to pay the past due hotel bills of himself and [redacted] and [redacted] Costello was not in on the wiring of the money.

Mr. Keith stated it is a very weak case against Costello but the Grand Jury insisted upon indicting him. They also wanted to indict [redacted] and [redacted] and [redacted] down in Florida but they were persuaded to hold up on that. He stated that Adams yielded to the wishes of the Grand Jury on Costello. Mr. Keith stated we did not push the matter whatsoever.

Respectfully,

RECORDED & INDEXED

H. Nathan.

JUN 4 1935

7-30-149

hook

May 28, 1935.

Time 3:35 P. M.

MEMORANDUM FOR MR. NATHAN

Re: Ball Jewelry Robbery Case.

Mr. Keith telephoned from New York and advised confidentially that the Grand Jury had just returned a secret indictment against Frank Costello, Al Howard, "Broadway" Charlie Stern, and Noel Seaffa. He advised that all of them were indicted for the transportation of the jewels and that Seaffa was indicted for perjury as well.

Mr. Keith advised that, subject to approval, his plans were as follows: that this morning he talked Adams into going ahead with the case and the Grand Jury is all through except that [redacted] and [redacted] will testify among other things, to the activities of [redacted] that he, Mr. Keith, knows where all the indicted parties are now and he intends to quietly pick this crowd up tomorrow night, and as Thursday is a holiday they will be able to hold them until Friday morning and work on them tomorrow night and Thursday. I stated that I believed this was an excellent plan.

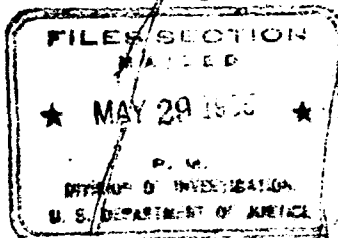
Mr. Keith stated that he has prepared a suggested release on the case which he will send into the Bureau as well as giving a copy to Mr. Whitley, and he suggested that a copy be sent to Agent [redacted] at Miami by air mail. I stated that I thought this should be done. Mr. Keith stated that he would also call up [redacted] the Miami Daily News, and advise him that Agent [redacted] would give him the release which he could use as soon as he received word from us. I stated that this would be a good idea and the release could be given out simultaneously at New York, Washington, and Miami. Mr. Keith stated that he would not make the release too long but would incorporate in it the background of the manner in which the insurance companies work the jewelry racket.

Mr. Keith stated that he would obtain a squad of men from Mr. Whitley and pick up this crowd tomorrow night and that he would try to effect it in a manner which would prevent any removal proceedings. I stated that I thought we should also try to avoid any gun play as well and he should be careful in this connection because some of these men were "tough gangsters". Mr. Keith stated that while they did not have any warrants, they knew the indictments had been returned, and Adams has stated that it will be all right for them to go ahead and pick up the crowd.

RECORDED

Very truly yours, 87-30-150

MAY 31 1935

John Edgar Hoover,  
Director.

Mr. Nathan  
Mr. Tolson  
Mr. Baughman  
Chief Clerk  
Mr. Clegg  
Mr. Coffey  
Mr. Edwards  
Mr. Egan  
Mr. Harbo  
Mr. Keith  
Mr. Lester  
Mr. Quinn  
Mr. Scheidt  
Mr. Schilder  
Mr. Smith  
Mr. Tamm  
Mr. Tracy  
Miss Gandy

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## Section 552

## Section 552a

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FBI/DOJ

# Federal Bureau of Investigation

U. S. Department of Justice

HN:CSH

Washington, D. C.

May 31  
June 1, 1935

Mr. Clegg	.....
Mr. Coffey	.....
Mr. Edwards	.....
Mr. Egan	.....
Mr. Harbo	.....
Mr. Keith	.....
Mr. Lester	.....
Mr. Quinn	.....
Mr. Scheidt	.....
Mr. Schilder	.....
Mr. Smith	.....
Mr. Tamm	.....
Mr. Tracy	.....
Miss Gandy	.....

b7C

MEMORANDUM FOR THE DIRECTOR

9:00 A.M.

RE: NOEL C. SCAFFA, et al,  
NATIONAL STOLEN PROPERTY ACT.

I talked to Keith on the telephone. He said he had conferred with Mr. Adams; that Adams is determined to go through with the case against all the individuals mentioned in previous memoranda, including Costello; that Adams has expressed the belief that he has a good circumstantial case against Costello and a 50-50 chance to convict. Keith states Scaffa has made bond of \$10,000 and has been released; that they are going to file Commissioner's complaints against Howard, [redacted] and Stern this morning. He is not certain as to the exact nature of the charge to be mentioned in the complaints, stating Adams has not yet decided, but it will probably be the conspiracy charge. He states that Adams seems to be of the opinion that the indictments against Howard, [redacted] and Stern should not be returned until Costello is picked up, but has not made up his mind; that if this is the case, of course, the press release is wrong. He will have a further conference with Adams and is leaving for the Federal Building now. He will prepare a press release to be submitted here which may be used in case the indictments against Howard, [redacted] and Stern are not returned. I pointed out to him that there would appear to be no reason for withholding the return of these indictments; that the fact that Costello was not picked up should not hinder it; that Costello knows as much about what has happened, of course, as if it had appeared in the Hearst papers. He said he will talk to Adams along those lines and endeavor to get all the indictments returned. He can be reached by telephone c/o Mr. Adams, Cortland 77280, for the next hour or so.

Very truly yours,

JUN 3 1935

87-30-152

H. Nathan.

RECORDED

It is agreed to withhold indictments until all parties are in custody.

J.C.H.

# Federal Bureau of Investigation

U. S. Department of Justice

Washington, D. C.

May 30, 1935.

Time-10:20 A.M.

HN:RWF

## MEMORANDUM FOR THE DIRECTOR

RE: Bell Jewel Robbery

Mr. Keith called from New York and advised that everyone was rounded up except Frank Costello; that it was alright to go ahead with what was intended whenever the indictments were returned because he will come in with his lawyer. Mr. Keith further advised that they have written statements from everyone with the exception of Scaffa, he declining, refusing to talk at all; that while these statements do not admit complicity in this crime, they do admit all the circumstances and details which have been collected tending to show their guilt, that is, their association together, communications, transportation, the hiring of lawyers etc.

Mr. Keith advised that through "Broadway Charlie" Stern, from whom they have a signed statement, they put [redacted] Costello, and Howard together in a turkish bath place shortly after [redacted] got to New York, but before he was arrested.

Mr. Keith stated that the papers in New York had nothing derogatory in them, except a few sarcastic remarks by [redacted]

Mr. Keith advised that Scaffa was down at the Federal Building now; that his lawyer finally got hold of the United States Commissioner and demanded that he be brought down; that United States Attorney Adams came in from New Jersey to personally handle the case; that the United States Commissioner has not shown up and they are trying to get hold of the judge; that unless the judge is willing to hear it, Scaffa will be locked up again.

Mr. Keith stated a complaint was filed by United States Attorney Adams against Scaffa charging him with causing to be transported, the jewels from New York to Miami.

Mr. Keith stated that he has spoken to Mr. Adams about expediting the return of the indictments; that he will advise the Bureau immediately they are returned.

Respectfully, ~~RECORDED & INDEXED~~

H. Nathan.

JUN 4 1935

Mr. Nathan	.....
Mr. Tolson	.....
Mr. Baughman	.....
Chief Clerk	.....
Mr. Clegg	.....
Mr. Coffey	.....
Mr. Edwards	.....
Mr. Egan	.....
Mr. Harbo	.....
Mr. Keith	.....
Mr. Lester	.....
Mr. Quinn	.....
Mr. Schilder	.....
Mr. Smith	.....
Mr. Tamm	.....
Mr. Tracy	.....
Miss Gandy	.....

RR

WBS



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FBI/DOJ

Further startling developments in the Miami-Biltmore jewel robbery were announced today by J. Edgar Hoover, Director, Federal Bureau of Investigation, U. S. Department of Justice.

Special Agents working under Mr. Hoover's instructions have been continuously engaged in the investigation of this robbery since shortly subsequent to the mysterious return at Miami on March 18, 1935 of jewels valued at a quarter of a million dollars, taken by robbers at the point of a gun from the person of Mrs. Margaret Hawksworth Bell, in the presence of Mr. Harry Content, New York broker, while they and other friends were vacationing during the season at the fashionable Miami-Biltmore Hotel.

As a result of evidence collected by the Federal Bureau of Investigation in cooperation with the New York Police, two gunmen, [REDACTED] and [REDACTED]

Previously, on March 11th, [REDACTED] from the County Jail at Miami sent a telegram to Noel C. Scaffa, noted jewel "recoverer" of New York City, asking that he come to see him as soon as possible. The following day Scaffa flew to Miami and within a few days the "recovery" of the jewelry was announced by [REDACTED] at Miami Beach. It was represented to the public and to local officials that the jewelry had been mysteriously placed by unknown persons in the parked automobile of the [REDACTED] when he and [REDACTED] one of Scaffa's operatives, had gone to the Flamingo Hotel, allegedly in response to a telephone call asking that they be there at 6:15 P.M.

Investigators assigned by Mr. Hoover to this case immediately suspected that this was only another instance of collusion between private detectives and thieves whereby the former paid to the latter alleged reward money procured through false representations to the policy holding insurance companies. Many suspicious instances of this sort had been noted in the past along the Atlantic seaboard and elsewhere but previous to the enactment of the new federal statute which prohibits the transportation in interstate commerce of any stolen goods valued at \$5,000 or more, Mr. Hoover's Special Agents had no jurisdiction.

The fairy tale as to the manner in which the jewelry had been "recovered" was soon exploded. It was ascertained that none other than Noel C. Scaffa himself had delivered to the [REDACTED] the key to a parcel lock box in which [REDACTED] accompanied

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246 SEP 19 1965

- 1 -

#7-30-154

[REDACTED] It was also suspected by Agents of the Bureau that [REDACTED]

Some weeks ago Noel G. Scaffa was interviewed at New York City by Special Agents of the Bureau. At that time he told the same fairy tale as to the circumstances under which the jewelry had been recovered as the one previously announced to the press on his instructions at Miami. He disclaimed any knowledge as to the identity of the thieves or the transportation of the jewelry to New York and the return subsequent to the robbery. He also denied that he or his private detective agency had any part in the recovery or return of the jewels to the original owners at Miami.

However, Federal Agents procured evidence to the contrary whereupon Mr. Scaffa was summarily commanded to appear before a Federal Grand Jury in New York and as a result of his testimony there he has been indicted for perjury.

Numerous Special Agents working in Florida, New York and Chicago have uncovered evidence to be presented to the same Grand Jury which [REDACTED] indicted for conspiracy to violate the National Stolen Property Act, the following persons:

FRANK COSTELLO, New York racketeer with varied interests in slot machines, handbooks, gambling clubs and dog tracks;

ALBERT J. CONTENTO alias Al Howard, ex-convict and big shot gambler who formerly ran the Brook Club in Saratoga and the Embassy Clubs at New York and Miami;

[REDACTED]  
[REDACTED]  
C. ALVIN STERNBERG alias "Broadway Charlie" Stern, gambler and con man;  
(the latter three former employees of Contento alias Howard, as well as associates of his in various enterprises);  
[REDACTED]

In addition to the perjury indictment the Federal Grand Jury also indicted Noel C. Scaffa for conspiracy with the above defendants to transport the jewelry in interstate commerce, in violation of the National Stolen Property Act. Startling evidence has been developed to the effect that on the representation that he was in touch with "informants", Scaffa procured from the insurance company which carried the policy of \$185,000 on the stolen jewelry, the total sum of \$50,000 to be used allegedly as a "reward". Soon after the transportation of the jewelry to New York by the thieves and after the arrest in New York City of Montone, Scaffa is alleged to have paid the sum of \$30,000 to persons whom he has refused to name, for the return of the stolen property. Shortly thereafter he procured from the insurance company for himself additional sums totalling \$11,500 and also persuaded the insurance company that rewards of \$15,000 should be paid to local officials at Miami for the work which they had done on the case.

This money was to be distributed at Miami

and such other local officials as he saw fit. Scaffa personally delivered the jewelry at New York to a representative of the insurance company before receipt of [redacted] and prior to his airplane trip to the Southern resort on March 13th.

It is the intention of Mr. Hoover, Director of the Federal Bureau of Investigation, to continue his vigorous inquiry into this case until all parties involved have been convicted and warning is served upon those who have indulged in this racket in the past, that private "detective" agencies may not conspire with thieves to collect "reward" money from insurance companies with consequent concealment of the truth and obstruction of justice in the Federal Court.

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**Section 552**

**Section 552a**

☐ (b)(1)

☐ (b)(7)(A)

☐ (d)(5)

☐ (b)(2)

☐ (b)(7)(B)

☐ (j)(2)

☐ (b)(3)

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FBI/DOJ

67C

May 17, 1935.

Q Would you mind relating the time that you met Howard?

A

Q After that time, did you go to the Embassy Club?  
A No.

Q Before that time?  
A Yes. I won't know Mr. Howard today if he walked into the room.

Q What were the circumstances that led you to believe there might have been some connection?  
A

Q You looked at [redacted] pictures?  
A Yes, I looked at hundreds of pictures.

Q Did you see this man's face that took your jewels?  
A No, he had a mask.

Q When he spoke to you, did he speak with an accent?  
A No, very common.

Q Do you know a man named Frank Costello?  
A No, I know the name reading in the paper.

Q Do you know a man named Charles Stern?  
A No.

Q Do you know any one named [redacted] son?  
A I don't know him.

Q He was [redacted] son.  
A He was supposed to be [redacted]

Q What is his first name?  
A

Q Where does he live?  
A I don't know.

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## Section 552

## Section 552a

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PAY LETTER

CODE

PAT-CJ

MAY 30 1935

B F FITZGERALD  
222 25TH STREET  
MIAMI BEACH FLORIDA

THE FOLLOWING IS A PROPOSED PRESS RELEASE WHICH WILL BE ISSUED TOMORROW MORNING MAY THIRTYFIRST IF THE FACTS AND CIRCUMSTANCES JUSTIFY THIS RELEASE IT BEING UNDERSTOOD THAT THE PROPOSED RELEASE WILL BE ALTERED AND CHANGED BY ANY CURRENT DEVELOPMENTS IT IS NOT DESIRED THAT THIS STATEMENT BE RELEASED BY WOO IN THE ABSENCE OF SPECIFIC INSTRUCTIONS FROM THE BUREAU QUOTE SPECIAL AGENTS OF THE FEDERAL BUREAU OF INVESTIGATION HAVE DEVELOPED FURTHER DETAILS IN CONNECTION WITH THE ROBBERY OF JEWELS VALUED AT A QUARTER OF A MILLION DOLLARS AT MIAMI FLORIDA FROM MRS MARGARET HANKSWORTH BELL IN THE PRESENCE OF MR HARRY CONSENT A NEWYORK BROKER THIS ROBBERY OCCURRED AT THE MIAMI MILMORE HOT ON JANUARY TWENTYSIXTH NINETEEN THIRTYFIVE AND THE JEWELS WERE MYSTERIOUSLY RETURNED ON MARCH EIGHTEENTH NINETEEN THIRTYFIVE IT WILL BE RECALLED THAT

[REDACTED]

[REDACTED]

[REDACTED]

RECORDED

87-30-158

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245 SEP 19 1966

JUN 1 1935

*[Handwritten signature]*

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CODE

[REDACTED]  
[REDACTED] PARAGRAPH PREVIOUSLY ON MARCH ELEVENTH NINETEEN THIRTYFIVE [REDACTED]  
FROM THE COUNTY JAIL AT MIAMI FLORIDA SENT A TELEGRAM TO NOEL C SCAFFA PRIVATE DETECTIVE  
OF NEWTON CITY REQUESTING THAT HE COME TO SEE HIM AS SOON AS POSSIBLE THE FOLLOWING DAY  
SCAFFA FLEW TO MIAMI AND WITHIN A FEW DAYS THE RETURN OF THE JEWELRY WAS ANNOUNCED BY

[REDACTED] IT WAS REPRESENTED THAT THE  
JEWELRY HAD BEEN MYSTERIOUSLY PLACED BY UNKNOWN PERSONS IN THE PARKED AUTOMOBILE OF

[REDACTED] WHEN HE AND [REDACTED] ONE OF SCAFFA'S OPERATIVES H  
CAME TO THE FLAMINGO HOTEL ALLEGEDLY IN RESPONSE TO A TELEPHONE CALL ASKING THAT THEY

BE THERE THE RECENT ENACTMENT OF THE NATIONAL STOLEN PROPERTY ACT PENALIZING THE  
TRANSPORTATION IN INTERSTATE COMMERCE OF STOLEN GOODS VALUED AT FIVE THOUSAND DOLLARS

OR MORE PERMITTED THE FEDERAL BUREAU OF INVESTIGATION TO ASSUME INVESTIGATIVE JURISDICTION

PARAGRAPH INVESTIGATION BY THE AGENTS OF THE FEDERAL BUREAU OF INVESTIGATION DEVELOPED  
THAT NOEL C SCAFFA DELIVERED TO FORMER [REDACTED] THE KEY TO A PARCEL

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CODE

LOCK BOX IN WHICH [REDACTED] ACCOMPANIED BY [REDACTED] FOUND THE JEWELRY. SOME WEEKS AGO NOEL C SCAFFA WAS INTERVIEWED AT NEWYORKCITY BY SPECIAL AGENTS OF THE FEDERAL BUREAU OF INVESTIGATION. AT THAT TIME HE DISCLAIMED ANY KNOWLEDGE OF THE IDENTITY OF THE THIEVES OR THE TRANSPORTATION OF THE JEWELRY TO NEWYORK AND THE RETURN OF THE JEWELRY SUBSEQUENT TO THE ROBBERY. HE ALSO DENIED THAT HE OR HIS PRIVATE DETECTIVE AGENCY HAD ANY PART IN THE RECOVERY OR RETURN OF THE JEWELS TO THE LAWFUL OWNER AT MIAMI. SCAFFA WAS BROUGHT BEFORE A FEDERAL GRAND JURY IN NEWYORK AND AS A RESULT OF HIS TESTIMONY AND IN THE LIGHT OF THE EVIDENCE SECURED BY THE SPECIAL AGENTS OF THE FEDERAL BUREAU OF INVESTIGATION HE WAS INDICTED FOR PERJURY AND FOR CONSPIRACY TO VIOLATE THE NATIONAL STOLEN PROPERTY ACT PARAGRAPH. SPECIAL AGENTS WORKING IN THE STATE OF FLORIDA AND IN NEWYORKCITY AND CHICAGO ILLINOIS HAVE DEVELOPED INFORMATION WHICH HAS BEEN PRESENTED TO A GRAND JURY AT NEWYORKCITY AND INDICTMENTS HAVE BEEN RETURNED AGAINST THE FOLLOWING ON CHARGES OF CONSPIRACY TO VIOLATE THE NATIONAL STOLEN PROPERTY ACT. FRANK COSTELLA OF NEWYORK. ALBERT J. CONTI ALIAS AL. HOWARD RECONVICT WHO FORMERLY OPERATED THE

b7C

CODE

BROOK CLUB IN SARATOGA AND THE HERBERT CLUBS AT NEWYORK AND MIAMI [REDACTED] OF  
NEWYORK [REDACTED]

C ALVIN STEINBERG ALIAS QUOTE BROADWAY CHARLIE UNQUOTE STERN OF NEWYORKCITY THE LATTE  
THREE INDIVIDUALS ARE SAID TO BE FORMER EMPLOYEES OF CONTENTO ALIAS HOWARD AS WELL AS  
ASSOCIATES IN HIS VARIOUS ENTERPRISES [REDACTED]

[REDACTED] PARAGRAPH EVIDENCE HAS BEEN SECURED TO THE  
EFFECT THAT NOEL C SCAFFA ON THE REPRESENTATION THAT HE WAS IN TOUCH WITH QUOTE  
INFORMANTS UNQUOTE SECURED FROM THE INSURANCE COMPANY WHICH CARRIED A POLICY OF ONE  
HUNDRED EIGHTYFIVE THOUSAND DOLLARS ON THE JEWELRY THE SUM OF FIFTY THOUSAND DOLLARS  
TO BE USED ALLEGEDLY AS A QUOTE REWARD UNQUOTE SOON AFTER THE TRANSPORTATION OF THE  
JEWELRY TO NEWYORKCITY AND AFTER THE ARREST IN NEWYORKCITY OF [REDACTED] SCAFFA IS  
ALLEGED TO HAVE PAID THE SUM OF THIRTY THOUSAND DOLLARS TO PERSONS WHOM HE HAS REFUSED  
TO NAME FOR THE RETURN OF THE STOLEN PROPERTY HE THEN RETURNED TWENTY THOUSAND DOLLAR  
OF THE FIFTY THOUSAND DOLLARS PREVIOUSLY REFERRED TO TO THE REPRESENTATIVES OF THE

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END

INSURANCE COMPANY SHORTLY THEREAFTER HOWEVER HE PROCURED FROM THE INSURANCE COMPANY ADDITIONAL FUNDS TOTALLING ELEVEN THOUSAND FIVE HUNDRED DOLLARS HE ALSO PERSUADED THE INSURANCE COMPANY THAT REWARDS OF FIFTEEN THOUSAND DOLLARS SHOULD BE PAID TO THE LOCAL OFFICIALS AT MIAMI FLORIDA FOR THE WORK THEY DID IN THE CASE THIS LATTER SUM HAS NOT YET BEEN PAID BY THE INSURANCE COMPANY PARAGRAPH THIS QUOTE REWARD UNQUOTE MONEY WAS TO BE DISTRIBUTED AT MIAMI ACCORDING TO [REDACTED] TO HIMSELF TO THE [REDACTED]

[REDACTED] WHO WAS TO PAY CERTAIN PARTS THEREOF TO [REDACTED] AND HIS [REDACTED] TO [REDACTED] SCAFFAS MIAMI REPRESENTATIVE AND TO SUCH OTHER LOCAL OFFICIALS AS HE SAW FIT SCAFFA PERSONALLY DELIVERED THE JEWELRY AT NEWYORK TO A REPRESENTATIVE OF THE INSURANCE COMPANY BEFORE RECEIPT OF THE TELEGRAM FROM [REDACTED] SENT FROM THE DADE COUNTY JAIL IN FLORIDA AND PRIOR TO HIS AIRPLANE TRIP TO MIAMI FLORIDA ON MARCH TWELFTH NINETEEN THIRTYSIX THE JEWELRY WAS THEN SENT BY THE ADJUSTERS FOR THE INSURANCE COMPANY [REDACTED] OFFICE IN CHICAGO SCAFFA INSTRUCTED THAT IT

CORE

SHOULD BE HELD AT CHICAGO UNTIL HE TELEPHONES TO INSTRUCT THAT IT BE BROUGHT TO  
FLORIDA SCAFFA LATER INSTRUCTED THAT THE JEWELRY BE RETURNED TO FLORIDA AND A  
REPRESENTATIVE OF THE INSURANCE COMPANY ADJUSTERS DID SO DELIVERING THE JEWELRY TO  
SCAFFA AT MIAMI UNQUOTE

DOVER

*Coded and sent Rhin<sup>nd</sup>  
C.E.R.  
10.21.10 <sup>55</sup>  
PM*

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XXXXXXFEDERAL BUREAU OF INVESTIGATION  
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67C

Room 1403  
370 Lexington Avenue  
New York City

MM:MP  
57-11

May 31, 1935

United States Marshall  
Old Post Office Building  
New York City

RE: NOEL C. SCAFFA et al  
NATIONAL STOLEN PROPERTY ACT

Dear Sir:

In order that your records may be complete, please be advised that Noel C. Scaffa was arrested by agents of this Bureau on May 29, 1935, at 5:30 P.M. at Scaffa's office, 111 John Street. Scaffa was brought to this office, 370 Lexington Avenue, where he was fingerprinted. He was not photographed. He was brought to the Federal Detention House about 9 P.M. that night.

Scaffa was arraigned before Judge Francis G. Caffey on May 30th and released in \$10,000 bail. The charge was violation of the National Stolen Property Act.

Defendants Albert J. Contente, alias Al Howard; [redacted] and C. Alvin Stearns, alias Broadway Charlie, were also arrested by agents of this office during the night of May 29th. These three defendants with Frank Costello, who surrendered himself at the office of the United States Attorney on May 31st, were handled by your office on May 31st. With the exception of Costello, the defendants Contente, [redacted] and Stearns were confined in the Federal House of Detention on May 30th or until their delivery to your office on May 31st.

If this information is not complete, kindly advise and I will be glad to furnish you with any additional information.

Very truly yours,

CC-Bureau ✓  
Mr. Keith

87-30  
R. WHITLEY - DIVISION OF INVESTIGATION  
Special Agent in Charge

ONE  
[Signature]

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87-30 Serials 161 + 162

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- ☐ For your information:

- ☒ The following number is to be used for reference regarding these pages:

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b7C

STATEMENT OF [REDACTED]

[REDACTED] I never heard Seaffa mention  
[REDACTED] the only ones I heard him speak of were [REDACTED]

[REDACTED] and I  
don't know.

I have never heard Seaffa mention anything about anyone called  
[REDACTED] He never gave me any details about the recovery of  
the jewels. [REDACTED]

Witnesses:

(signed) [REDACTED]

J. M. KEITH, Special Agent in Charge  
Federal Bureau of Investigation  
U. S. Department of Justice  
Washington, D. C.

J. EDWARD CARTER, Assistant United States Attorney  
Federal Building, New York, New York.

XXXXXX  
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XXXXXXFEDERAL BUREAU OF INVESTIGATION  
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- ☒ The following number is to be used for reference regarding these pages:

87-30 - Serials 164 and 165; Unrecorded  
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JOHN EDGAR HOOVER  
DIRECTOR

# Federal Bureau of Investigation

U. S. Department of Justice

HN:CSH

Washington, D. C.

June 1, 1935

Mr. Nathan	.....
Mr. Tolson	.....
Mr. Baughman	.....
Chief Clerk	.....
Mr. Clegg	.....
Mr. Coffey	.....
Mr. Edwards	.....
Mr. Egan	.....
Mr. Harbo	.....
Mr. Keith	.....
Mr. Lester	.....
Mr. Quinn	.....
Mr. Scheidt	.....
Mr. Schilder	.....
Mr. Smith	.....
Mr. Tamm	.....
Mr. Tracy	.....
Miss Gandy	.....

## MEMORANDUM FOR THE DIRECTOR

10:20 A.M.

10:30 A.M.

RE: NOEL C. SCAFFA, et al,  
NATIONAL STOLEN PROPERTY ACT.

b7C  
Mr. Whitley has called to state that Frank Costello has come in with his attorney; that it is the intention of Adams to arraign Costello and the other three defendants (other than Scaffa) before a United States Commissioner, charging all four, i.e., Costello, Howard, [REDACTED] and Sternberg, with conspiracy to violate the National Stolen Property Act. He states these complaints are being drawn and that, according to Keith, the indictments against these men will not be returned until next Tuesday. He suggested that we be ready to issue a release in accordance with this change in plan, stating that Keith had prepared one that might meet the situation. I told him to do nothing until he heard from the Bureau.

I have just called Whitley again and advised him that it is not desired that any release be made in this case, and he will make none, at least until further notice from the Bureau.

Very truly yours,

*H. Nathan*  
H. Nathan.

RECORDED

&  
~~INDEXED~~

JUN 4 1935

87-30-166
JUN 1 1935
SEARCHED
SERIALIZED

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XXXXXXFEDERAL BUREAU OF INVESTIGATION  
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Section 552Section 552a☐ (b)(1)☐ (b)(7)(A)☐ (d)(5)☐ (b)(2)☐ (b)(7)(B)☐ (j)(2)☐ (b)(3)☒ (b)(7)(C)☐ (k)(1)☐ (b)(7)(D)☐ (k)(2)☐ (b)(7)(E)☐ (k)(3)☐ (b)(7)(F)☐ (k)(4)☐ (b)(4)☐ (b)(8)☐ (k)(5)☐ (b)(5)☐ (b)(9)☐ (k)(6)☐ (b)(6)☐ (k)(7)

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- ☒ The following number is to be used for reference regarding these pages:

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JOHN EDGAR HOOVER  
DIRECTOR

# Federal Bureau of Investigation

U. S. Department of Justice

Washington, D. C.

June 3, 1935.

JJE:FLB

## MEMORANDUM FOR THE DIRECTOR

RE: NOEL C. SCAFFA - et al;  
National Stolen Property  
Act Conspiracy.

This morning I received a request from Mr. Nathan, in connection with the above entitled case, for transcripts of the criminal records of Frank Costello, [REDACTED] Albert J. Contento, and C. Alvin Sternberg.

It was ascertained that fingerprint cards were transmitted to the Bureau by the United States Marshal at New York City on May 31, 1935, on [REDACTED] Contento and Sternberg, and that the fingerprints on Frank Costello were taken by the New York Police Department and transmitted through the State Bureau at Albany, New York, as #B-38412. The three fingerprint cards transmitted by the United States Marshal were located and searched against the Identification Division's files and identifications were made on [REDACTED] and Contento. There are transmitted herewith 10 copies of the transcripts of the criminals records of these individuals. Photographs also appear in the files and are being obtained from the Photographic Section. No record was found in connection with the prints of C. Alvin Sternberg, and up to the present, the print of Frank Costello has not been received in the Identification Division from the New York Police Department.

Respectfully,

*John J. Edwards*  
John J. Edwards.

RECORDED  
&  
INDEXED

JUN 5 1935

67-20-112	
JUN 5 1935	
NATHAN	TAMM
ONE	FILE

Mr. Nathan	✓
Mr. Tolson	
Mr. Baughman	
Chief Clerk	
Mr. Clegg	
Mr. Coffey	
Mr. Edwards	
Mr. Egan	
Mr. Harbo	
Mr. Keith	
Mr. Lester	
Mr. Quinn	
Mr. Scheidt	
Mr. Schilder	
Mr. Smith	✓
Mr. Tamm	✓
Mr. Tracy	
Miss Gandy	

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☐ For your information:

- ☒ The following number is to be used for reference regarding these pages:

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- ☒ The following number is to be used for reference regarding these pages:

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JOHN EDGAR HOOVER  
DIRECTOR

HN:CDW

# Federal Bureau of Investigation

U. S. Department of Justice

Washington, D. C.

May 30, 1935.

Mr. Nathan .....
Mr. Tolson .....
Mr. Baughman .....
Chief Clerk .....
Mr. Clegg .....
Mr. Coffey .....
Mr. Edwards .....
Mr. Egan .....
Mr. Harbo .....
Mr. Keith .....
Mr. Lester .....
Mr. Quinn .....
Mr. Scheidt .....
Mr. Schilder .....
Mr. Smith .....
Mr. Tamm .....
Mr. Tracy .....
Miss Gandy .....

Time -

## MEMORANDUM FOR THE DIRECTOR

Re: Noel C. Scaffa, et al;  
National Stolen Property Act.

Upon my calling Mr. Keith about the above matter, he stated that he had talked with Assistant United States Attorney Adams again about the case, informing him that the newspapers had been making inquiries, etc. Adams told Mr. Keith that he would be very much opposed to any release before Friday morning; that he would prefer to have the press go ahead and guess at it until Friday morning.

Mr. Keith then stated that they have just taken into custody [REDACTED] this leaving only "Broadway Charlie" Stern and Frank Costello to be taken into custody.

In answer to my query about indictments, Mr. Keith stated that an indictment against Scaffa for perjury, and one for conspiracy to violate the National Stolen Property Act have been voted, but not returned in open court, the same being secret indictments. More specifically, one indictment has been voted against Scaffa for perjury. Another indictment has been voted against [REDACTED], Scaffa, Stern, [REDACTED] Howard and Costello, charging conspiracy to violate the National Stolen Property Act.

I asked Mr. Keith how we know that Costello possesses varied interests in slot machines, gambling clubs and dog tracks. Mr. Keith said that this is general and common knowledge in New York City. I asked what part Costello plays in the case. He said that while we do not know definitely, it is thought that Costello advanced the money on the deal before [REDACTED] was arrested.

With reference to the statement to the effect that Albert J. Contento is an ex-convict and a gambler, I asked what the basis for the ex-convict part is. Mr. Keith said that Contento served two years in the penitentiary at Atlanta, Georgia on a narcotics charge. He was also convicted in New York City of mail fraud, but received probation on this. He operated the Brook Club in Saratoga, and the Embassy Clubs at New York and Miami.

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JUN 7 1935

RECORDED  
&  
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87-30-174

JUN 5 1935

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Page(s) withheld for the following reason(s):

☒ For your information: Costello's name is mentioned only in  
the caption on page 1.

☒ The following number is to be used for reference regarding these pages:

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**Bureau of Investigation**  
**U. S. Department of Justice**

Room 1403  
370 Lexington Avenue  
New York City

WBM:rd  
87-11

**AIRMAIL - SPECIAL DELIVERY**

June 3, 1935

Director  
Federal Bureau of Investigation  
U. S. Department of Justice  
Pennsylvania Avenue at 9th St., N.W.  
Washington, D. C.

Att: Mr. Edwards

b7C Re: [REDACTED] with aliases, et al  
National Stolen Property Act;  
Conspiracy

Dear Sir:

Enclosed is a photograph and a copy of the fingerprints of Frank Costello alias Frank Saverio, New York Police Department number B38412. The New York City Police Department fingerprinted Costello as a courtesy for the United States Marshal, Southern District of New York.

The following is the criminal record of Costello as reflected by the records of the Police Department of this City:

b7C  
5/6/08 as Frank Costello, N.Y.C., Assault & robbery. On 5/8/08 discharged - Mag. Kernochan, 5th Court. [REDACTED] 6-4-35  
3/12/15 as Frank Saverio, N.Y.C., Revolver. On 4/5/15, Penitentiary, Judge Swann, General Sessions. [REDACTED] 3rd Branch. 6-4-35  
5/31/35 as Frank Costello, Manh., Conspiracy (Federal Case). Deputy U. S. Marshal [REDACTED] 6-4-35

If additional record should be found for Costello kindly advise me at the New York City Bureau office by teletype.

Very truly yours,

*J M Keith*  
JOHN M. KEITH, *WBM*  
Special Agent in Charge

Encls. 2  
CC:Jacksonville

RECORDED

87-30-176

JUN 7 1935

RECORDED

JUN 4 1935

IDENT. DIV.

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XXXXXXFEDERAL BUREAU OF INVESTIGATION  
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- ☒ The following number is to be used for reference regarding these pages:

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DIVISION OF INVESTIGATION  
U. S. DEPARTMENT OF JUSTICE

MESSAGE TO BE TRANSMITTED BY TELETYPEWRITER.

JUNE 4 1935

TO SPECIAL AGENT IN CHARGE AT NEW YORK CITY

WA ET AL. NSPA NO RECORD FRANK CONTELLA BUREAU'S FILES

DOVER

b7C

RECORDED

87-30-177	
FEDERAL BUREAU OF INVESTIGATION	
JUN 5 1935 P.M.	
U. S. DEPARTMENT OF JUSTICE	
	FILE

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245 SEP 19 1966

APPROVED FOR TRANSMISSION:

Sent 2:45 PM by [REDACTED]

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- ☒ The following number is to be used for reference regarding these pages:

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JUN 6 1955

Mr. N.  
Mr. T.  
Mr. F.  
Chief  
Mr. C.  
Mr. C.  
Mr. E.  
Mr. E.  
Mr. F.  
Mr. F.  
Mr. J.  
Mr. Q.  
Mr. S.  
Mr. S.  
Mr. S.  
Mr. T.  
Mr. T.  
Miss G.

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XXXXXXFEDERAL BUREAU OF INVESTIGATION  
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Page(s) withheld for the following reason(s):

- ☒ For your information: Castello is mentioned only in the caption of the first page of this Serial.

- ☒ The following number is to be used for reference regarding these pages:

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b7C  
JED:ECB

May 10, 1936

Time: 12:30 p.m.

MEMORANDUM FOR MR. NATHAN

Re: Bell Jewelry Robbery

Mr. Nathan telephoned Mr. John Keith at New York City. He stated that they have in custody all the principals in this case with the exception of Frank Costello, and that he feels the case against this subject is rather weak. I pointed out the possibility of Costello's gaining "prestige" if we indict him and fail to convict him.

Mr. Keith stated that the members of the gang who were taken into custody today have not admitted anything; that [redacted] admitted having called Costello in New York from Miami, but that he only wanted to borrow money, and denied knowing whether [redacted] called him or not.

I inquired if the charges against Al Howard, "Broadway" Charlie Stern and [redacted] are strong enough to convict them. Mr. Keith replied that he believes they will be convicted, and in fact he would be willing to take a "fifty-fifty" chance on the entire group, including Costello. I suggested to Mr. Keith that he talk with Mr. Adams either today or tomorrow morning before the indictments are returned, to discuss this situation; that of course there is no question concerning Beaffa, [redacted] but I would like to ascertain just how the others stand.

Mr. Keith stated that the arrests have been secret so far; that he has obtained written statements; and that tomorrow morning he will have the two witnesses from Chicago. I called attention to the activities of [redacted] and urged that an effort be made to either indict him, if there is sufficient basis therefor, or present the information to [redacted]

Mr. Keith stated that he had previously talked to Mr. Adams along this line.

Mr. Keith stated that he will go before the grand jury the first thing tomorrow morning, presenting the statements which he has obtained. I asked Mr. Keith to advise me as soon as the indictments are returned so that we can issue a statement. I again urged Mr. Keith to go over the entire situation thoroughly with Mr. Adams, and Mr. Keith stated he would confer with him tonight.

Mr. Nathan  
Mr. Tolson  
Mr. Baughman  
Chief Clerk  
Mr. Clegg  
Mr. Coffey  
Mr. Edwards  
Mr. Egan  
Mr. Harbo  
Mr. Keith  
Mr. Lester  
Mr. Quinn  
Mr. Scheidt  
Mr. Schilder  
Mr. Smith  
Mr. Tamm  
Mr. Tracy  
Miss Gandy

RECORDED

&

INDEXED

Very truly yours,  
John Edgar Hoover,  
Director.

47-30-179X  
JUN 10 1936

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XXXXXXFEDERAL BUREAU OF INVESTIGATION  
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June 4, 1935

MEMORANDUM

Special Agents of the Federal Bureau of Investigation have developed further details in connection with the robbery of jewels valued at a quarter of a million dollars at Miami, Florida from Mrs. Margaret Hawksworth Bell, in the presence of Mr. Harry Content, a New York broker. This robbery occurred at the Miami-Biltmore Hotel on January 26, 1935, and the jewels were mysteriously returned on March 18, 1935. It will be recalled that [REDACTED]

Previously, on March 11, 1935, [REDACTED] sent a telegram to Noel C. Scaffa, private detective of New York City, requesting that he come to see him as soon as possible. The following day Scaffa flew to Miami and within a few days the return of the jewelry was announced by [REDACTED]. It was represented that the jewelry had been mysteriously placed by unknown person in the parked automobile of [REDACTED] when he arrived.

The recent enactment of the National Stolen Property Act, penalizing the transportation in interstate commerce of stolen goods valued at \$5,000 or more permitted the Federal Bureau of Investigation to assume investigative jurisdiction.

Investigation by the Agents of the Federal Bureau of Investigation developed that Noel C. Scaffa delivered to [REDACTED]

Some weeks ago Noel C. Scaffa was interviewed at New York City by Special Agents of the Federal Bureau of Investigation. At that time he disclaimed any knowledge of the identity of the thieves or the transportation of the jewelry to New York and the return of the jewelry subsequent to the robbery. He also denied that he or his private detective agency had any part in the recovery or return of the jewels to the lawful owner at Miami. Scaffa was brought before a Federal Grand Jury in New York and, as a result of his testimony and in the light of the evidence secured by the Special Agents of the Federal Bureau of Investigation, he was indicted for perjury and for conspiracy to violate the National Stolen Property Act.

Special Agents, working in the State of Florida and in New York City and Chicago, Illinois, have developed information which has been presented to a Grand Jury at New York City, and indictments have been returned against the following, on charges of conspiracy to violate the National Stolen Property Act:

FRANK COSTELLO, of New York.

ALBERT J. CONTENTO, alias Al Howard, ex-convict who formerly operated the Broc Club in Saratoga and the Embassy Clubs at New York and Miami.

[REDACTED]

[REDACTED]

*Charles A. Stern*  
G. ALVIN STERNBERG, alias "Broadway Charlie" *with other alias* Stern, of New York City.

(The latter three individuals are said to be former employees of Contento alias Howard, as well as associates in his various enterprises.)

[REDACTED]

Evidence has been secured to the effect that Noel G. Scaffa, on the representation that he was in touch with "informants", secured from the insurance company, which carried a policy of \$185,000 on the jewelry, the sum of \$50,000 to be used allegedly as a "reward". Soon after the transportation of the jewelry to New York City, and after the arrest in New York City of Scaffa is alleged to have paid the sum of \$30,000 to persons whom he has refused to name, for the return of the stolen property. He then returned \$20,000 of the \$50,000 previously referred to to the representatives of the insurance company. Shortly thereafter, however, he procured from the insurance company additional sums totalling \$11,500. He also persuaded the insurance company that rewards of \$15,000 should be paid to the local officials at Miami, Florida for the work they did in the case. This latter sum has not yet been paid by the insurance company.

This "reward" money was to be distributed at Miami, according to [REDACTED] to himself, to [REDACTED] (who was to pay certain parts thereof to [REDACTED] to [REDACTED] Scaffa's Miami representative, and to such other local officials as he saw fit. Scaffa personally delivered the jewelry at New York to a representative of the insurance company before receipt of the telegram from [REDACTED] sent from the Dade County Jail in Florida, and prior to his airplane trip to Miami, Florida on March 12, 1935. The jewelry was then sent by the adjusters for the insurance company to its office in Chicago. Scaffa instructed that it should be held at Chicago until he telephoned to instruct that it be brought to Florida. Scaffa later instructed that the jewelry be returned to Florida and a representative of the insurance company adjusters did so, delivering the jewelry to Scaffa at Miami.



Preliminary steps in anticipation of the action of the Federal Grand Jury were initiated by Special Agents of the Federal Bureau of Investigation on the evening of May 29, 1935, when Noel C. Scaffa was taken into custody. A complaint was filed against him before the United States Commissioner, charging him with the transportation of stolen jewelry in violation of the National Stolen Property Act, he was arraigned before said Commissioner on May 30th, pleaded not guilty, and was released on a \$10,000 bond.

Albert J. Contento alias Al Howard, was taken into custody the night of May 29th, a complaint was filed against him before the United States Commissioner, charging him with conspiracy to transport stolen property in interstate commerce in violation of the National Stolen Property Act, he was arraigned on May 31st, pleaded not guilty, and his bond was fixed at \$10,000. He has furnished this bond and been released.

[REDACTED]

*Charles A. Stern*  
S. Alvin Sternberg alias "Broadway Charlie" Stern, was taken into custody the night of May 29th, was arraigned before the United States Commissioner on May 29th, a complaint was filed against him before the United States Commissioner, charging conspiracy to transport stolen property in interstate commerce, in violation of the National Stolen Property Act, he was arraigned on May 31st, and his bond was fixed at \$5,000. He has furnished this bond and been released.

Frank Costello surrendered at the Federal Building, New York City, on the morning of May 31st, a complaint was filed against him before the United States Commissioner, charging conspiracy to transport stolen property in interstate commerce in violation of the National Stolen Property Act, he was arraigned on the morning of the 31st, pleaded not guilty, and was released under \$7500 bond.

*Stern*  
The United States Commissioner held Scaffa, Contento, Sternberg and Costello for further hearing on June 13, 1935. [REDACTED]

As previously indicated, the following indictments have today been returned by the Federal Grand Jury at New York City:

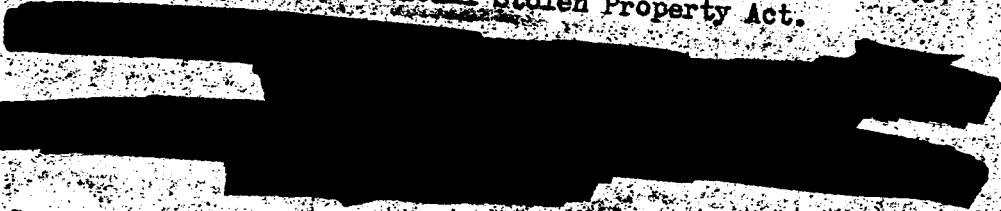
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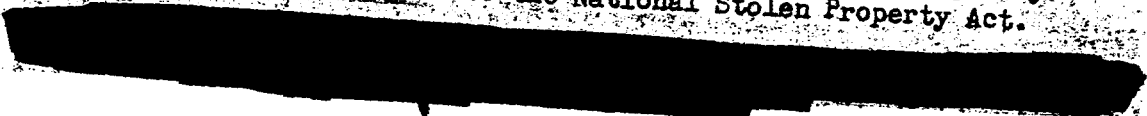
Noel C. Scaffa - perjury and conspiracy to violate the  
National Stolen Property Act.

Frank Costello - Conspiracy to violate the National Stolen  
Property Act.

Albert J. Contento alias Al Howard - Conspiracy to violate  
the National Stolen Property Act.



C. Alvin Sternberg alias "Broadway Charlie" Stern - Conspiracy  
to violate the National Stolen Property Act.



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Time-12:23 P.M.

RE: Bell Jewel Robbery

ol. Howard.  
"Brother" Charlie Howard

Mr. ~~not~~ ~~be~~ ~~Mr~~  
Mr. Tolson .....  
Mr. Baughman .....  
Chief ~~Indictment~~  
Mr. ~~Mr~~ Adams  
Mr. ~~stated~~ the  
Mr. ~~to~~ proceed  
Mr. ~~that~~ he th  
Mr. ~~deal~~ with  
Mr. ~~has~~ found  
Mr. ~~and~~ there  
Mr. Quinn  
Mr. Schmidt .....  
Mr. ~~dis~~appointe  
Mr. ~~St~~ ~~that~~ there  
Mr. Tamm  
Mr. Tracy  
Miss Gandy

87-30-180X  
that I was very much

**RECORDED**

**John Edgar Hoover,  
Director.**

JUN 10 1935

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XXXXXXFEDERAL BUREAU OF INVESTIGATION  
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JOHN EDGAR HOOVER  
DIRECTOR

# Federal Bureau of Investigation

U. S. Department of Justice

Washington, D. C.

June 4, 1935

HN:CSH

1:00 P.M.

MEMORANDUM FOR THE DIRECTOR

RE: NOEL C. SCAFFA, et al, NATIONAL  
STOLEN PROPERTY ACT.

Mr. Nathan ....  
Mr. Tolson ....  
Mr. Baughman  
Chief Clerk ....  
Mr. Clegg .....  
Mr. Coffey .....  
Mr. Edwards ....  
Mr. Egan .....  
Mr. Harbo .....  
Mr. Keith .....  
Mr. Lester .....  
Mr. Quinn .....  
Mr. Scheidt .....  
Mr. Schilder .....  
Mr. Smith .....  
Mr. Tamm .....  
Mr. Tracy .....  
Miss Gandy .....

Keith called on the telephone and said that Costello, according to the New York Police Department fingerprint records, was arrested on March 12, 1915 as Frank Saverio in New York on a charge of carrying a pistol. According to the same records, on May 5, 1915 he was sent to the penitentiary by Judge Swan of the Court of General Sessions. The records of the Clerk of the Court of General Sessions show that Indictment #104831 was filed against Frank Saverio on March 16, 1915 on a charge of carrying a pistol. The records of the Clerk of the Court further show that on March 26, 1915 Saverio pleaded guilty and was sentenced by Judge Swan to one year in the penitentiary on said plea of guilty.

With regard to Charlie Stern, [redacted] claims, as has previously been stated, that he did not write the article naming Stern as the same man as [redacted] that one [redacted] who wrote the article is not available; that he is on leave and cannot be found. Keith stated that Special Agent [redacted] has just telephoned in that he has procured from the Special Intelligence Unit of the Internal Revenue Bureau at New York City the name and address of the [redacted] who was [redacted] and from the files of that unit has procured [redacted] The telephone books, et cetera, list him as still living there under that name. An Agent went out there with a photograph of Stern and compared it with this [redacted] and he is not the same man. A little doubt is cast upon this by the fact that on February 25th, according to the tap, Charlie Stern called up one [redacted] and [redacted] called him [redacted] but it is believed that this can be disregarded and that Stern and [redacted] are not the same.

The perjury indictment is drawn and ready, and they are now working on the conspiracy indictment, expecting to file it before the Grand Jury within a day or so and have it returned in open court.

Very truly yours,

H. Nathan.

JUN 13 1935

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XXXXXXFEDERAL BUREAU OF INVESTIGATION  
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JOHN EDGAR HOOVER  
DIRECTOR

# Federal Bureau of Investigation

U. S. Department of Justice

Washington, D. C.

HN:CSH

June 4, 1935

## MEMORANDUM FOR THE DIRECTOR

9:15 A.M.

RE: NOEL C. SCAFFA, et al,  
NATIONAL STOLEN PROPERTY ACT.

I talked to Keith this morning on the telephone. He said he had a conference with Adams last night and it is his opinion now that the indictments will not be returned until late today and possibly not until tomorrow; that Adams wants to be sure the indictments are in proper form. Incidentally, Adams said late yesterday that they would be returned some time this week. Keith does not believe they will be returned until Wednesday or Thursday.

Mr. Adams has received certain anonymous telephone calls stating that [REDACTED]

[REDACTED] Keith says [REDACTED], and he, Keith, is having a number of conferences with him.

### RECORDED & INDEXED

With regard to Costello, Keith has had several conferences with the "News" people. The News man has told him he does not recall where he secured the information concerning Costello. However, Keith has been able to have the New York Police fingerprints checked against the New York Police record on Costello and found the following record:

May 6, 1908, as Frank Costello, arrested in New York for assault and robbery - May 8, 1908 discharged.  
March 12, 1915, as Frank Saverio, New York City - "revolver".  
April 5, 1915, penitentiary, Judge Swan, General Sessions.

Keith is checking further on the court record. He believes that the sentence in the above case was one to three years on Welfare Island, but further information must be secured. The fingerprints themselves, together with the photograph, were sent to the Bureau yesterday afternoon, marked for the attention of Mr. Edwards. Fingerprints have previously been sent by the

New York Police to their State Bureau.

COPIES DESTROYED

245 SEP 19 1966

Mr. Nathan .....  
Mr. Tolson .....  
Mr. Baughman .....  
Chief Clerk .....  
Mr. Clegg .....  
Mr. Coffey .....  
Mr. Edwards .....  
Mr. Egan .....  
Mr. Harbo .....  
Mr. Keith .....  
Mr. Lester .....  
Mr. Quinn .....  
Mr. Scheidt .....  
Mr. Schilder .....  
Mr. Smith .....  
Mr. Tamm .....  
Mr. Tracy .....  
Miss Gandy .....



67C

Post Office Box 2118  
Detroit, Michigan  
June 7, 1935

Special Agent in Charge  
New York, N. Y.

Re: NICHOLAS MONTONE, with aliases, et al.  
National Stolen Property Act  
Conspiracy

Dear Sir:

In accordance with the request contained in the letter of Special Agent in Charge J. M. Keith, dated at New York City, June 1, 1935, there is transmitted herewith a photograph of G. Alvin Stern, which was forwarded to this office with Mr. Keith's letter.

Superintendent of Police Carroll at Grand Rapids, Michigan, who has been very cooperative with this Bureau, requested that the extra copy of the photograph which was furnished to this office be left with him, which request was granted.

Very truly yours,

D. L. Nicholson  
Special Agent in Charge

Enclosed  
Bureau  
Jacksonville  
SAC Keith, N.Y.

87-30	
FEDERAL BUREAU OF INVESTIGATION	
JUN 11 1935	
U. S. DEPARTMENT OF JUSTICE	
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JOHN EDGAR HOOVER  
DIRECTOR

# Federal Bureau of Investigation

U. S. Department of Justice

HN:CSH

Washington, D. C.

June 4, 1935

2:45 P.M.

## MEMORANDUM FOR THE DIRECTOR

RE: NOEL C. SCAFFA, et al, NATIONAL  
STOLEN PROPERTY ACT.

Keith called on the telephone and said that it would be well to be sure that, in any release made by the Bureau relative to Charles A. Stern alias "Broadway Charlie", the Bureau confines itself to referring to him solely as Charles A. Stern alias "Broadway Charlie"; that the [REDACTED] previously referred to and who is apparently not the same man as Stern is threatening to sue everybody because of the newspaper article in New York referring to him as connected with this case.

With regard to Frank Costello and his alleged criminal record, it would appear that our Identification Division has no record. The New York Police have sent his alleged criminal record to the New York Bureau Office, based on the prints taken by the New York Police on May 31, 1935. They give two arrests. One was on May 6, 1908 for assault and robbery, showing discharged. On this arrest it would appear that no fingerprints were taken and the alleged identification is made solely by means of photographs. In other words the man arrested on May 6, 1908 and known as Frank Costello was not fingerprinted. The other arrest was on March 12, 1915 and the man named Saverio, whose criminal record has been given, was also not fingerprinted, but was photographed only, and the alleged identification is based upon the comparison of the present photograph of Frank Costello and the photographs of 20 years ago, i.e., 1915, and is about as reliable as that.

It would appear emphatically necessary that no reference be made in any Bureau release to the criminal record of Costello.

Very truly yours,

H. Nathan.

RECORDED

JUN 13 1935

Mr. Nathan	.....
Mr. Tolson	.....
Mr. Baughman	.....
Chief Clerk	.....
Mr. Clegg	.....
Mr. Coffey	.....
Mr. Edwards	.....
Mr. Egan	.....
Mr. Harbo	.....
Mr. Keith	.....
Mr. Lester	.....
Mr. Quinn	.....
Mr. Scheidt	.....
Mr. Schilder	.....
Mr. Smith	.....
Mr. Tamm	.....
Mr. Tracy	.....
Miss Gandy	.....

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FEDERAL BUREAU OF INVESTIGATION	
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U. S. DEPARTMENT OF JUSTICE	
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XXXXXXFEDERAL BUREAU OF INVESTIGATION  
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67C

Miami jewelers further.

On the morning of June 1, 1934, [redacted] Miami, Fla. [redacted] possibly Miami, please be advised that [redacted] the Postal Telegraph Company at Miami searched his records, but no transfer of that description could be located. The Western Union Telegraph Company, over whose wires [redacted] to have sent the money, has not completed its search. [redacted] The Western Union advised me today that all wires will have been completed on June 7, 1934, and you will be advised immediately of the result thereof.

This morning, while at Mr. Sheriff's office on other matters, [redacted] advised me that [redacted] on Tuesday evening, June 4, 1934, that he was going to New York by train that evening; that he had been bothered by people telling him he was going to be indicted and otherwise embarrassing him, and that he had decided to go to New York and talk with United States Attorney Adams about the matter.

cc-Bureau  
New York  
Jacksonville

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FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT

JACKSONVILLE, FLORIDA

N.Y. File No. 87-11

:mo

REPORT MADE AT: NEW YORK CITY	DATE WHEN MADE: 6/13/35	PERIOD FOR WHICH MADE: 6/11/35	REPORT MADE BY: [REDACTED]
TITLE: NOEL CHARLES SCAPPA, et al			CHARACTER OF CASE: NATIONAL STOLEN PROPERTY ACT CONSPIRACY. PERJURY.

SYNOPSIS OF FACTS:

[REDACTED] denies any knowledge of Bell-Content jewel robbery or association with any individuals involved, and also denies telling [REDACTED] that if [REDACTED] took the jewelry he would cause its return. [REDACTED] friend of [REDACTED] states [REDACTED] introduced her to [REDACTED] and [REDACTED] on one occasion and that constitutes extent of her association with them; that [REDACTED] informed her she had identified [REDACTED]

- P -

REFERENCE:

Report of Special Agent in Charge J.M. Keith, New York City June 12, 1935.

AT NEW YORK CITY.

DETAILS:

[REDACTED] was interviewed June 11, 1935 by Special Agents [REDACTED] and [REDACTED] at the New York Bureau Office, in the presence of [REDACTED] and stated that he resides with his parents at [REDACTED]

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845 SEP 19 1966

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- 3 Jacksonville
- 5 New York (US Atty., S.D.N.Y.-1)

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NY File 87-11

[REDACTED]

With reference to his association with the individuals involved in the Bell-Grant jewel robbery, he stated that he had absolutely no knowledge of any of the circumstances surrounding it and is not intimately acquainted with any of them with the exception of Albert J. Contente alias Al Howard, and Frank Costello; that he has a casual acquaintanceship with [REDACTED] and [REDACTED]

[REDACTED] whom he met during the 1934 season in Florida in company with Al Howard; that he was at the track at the time when they introduced themselves; that according to the best of his recollection he first met [REDACTED] on the evening of the day on which [REDACTED]

[REDACTED] that  
on the evening of that day, which he believes was [REDACTED]

[REDACTED]

That upon arrival, he met [REDACTED] and that [REDACTED] whom he has known about four or five years, asked him to ascertain [REDACTED]

[REDACTED]



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FEDERAL BUREAU OF INVESTIGATION

FORM NO. 1

THIS CASE ORIGINATED AT JACKSONVILLE, FLORIDA

REPORT MADE AT

NEW YORK CITY

DATE WHEN MADE

5/12/35

PERIOD FOR WHICH MADE

5/22-5/11/35

N.Y. FILE NO. 87-11

REPORT MADE BY

J. M. KEITH

CHARACTER OF CASE

NATIONAL STOLEN PROPERTY  
CONSPIRACY; PERJURY.

ALBERT J. GONTENIO alias Al Howard  
CHARLES ALVIN STERN alias Stearns alias C. Alvin  
SYNOPSIS OF FACTS: Stern alias "Broadway Charlie".  
FRANK COSTELLO alias Frank Saverio.

SYNOPSIS OF FACTS:

On 5/27/35 [redacted] and testified  
before the Grand Jury, Southern District of New York.  
5/28/35. Statement procured from him shows [redacted]

DETAILS

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SPECIAL AGENT  
IN CHARGE:

BUREAU OF INVESTIGATION

JUN 18 A.M.  
DEPARTMENT OF JUSTICE

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JUN 18 1935

CHECKED OFF:  
JUN 19 1935

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[REDACTED]

All subjects taken into custody at New York, 5/29, 30 and 31, 1935. Bail furnished for hearing before U. S. Commissioner, 6/13. Statements made denying guilt but conflicting in certain details, by Howard, [REDACTED], Stern and Costello. Stern and Costello admit that they met Howard, [REDACTED] at the Biltmore Baths, New York 2/7/35; Howard and [REDACTED] deny this. Costello says [REDACTED] borrowed \$30 from him. Stern says [REDACTED] was boasting that he had procured \$1,000 upon his return from Florida. Howard denied that he knows Scaffa. Scaffa admitted that he knows Howard. Scaffa's [REDACTED] stated that last summer she and Scaffa drove to Saratoga with Mrs. Al Howard and that she introduced Scaffa to Howard in The Brook - club. [REDACTED] said that he called Costello on the telephone at New York on arrival, 2/4/35, but Costello refused to talk to him. Costello stated he did talk to [REDACTED] on 2/7th and arranged to meet him at the Biltmore Baths. [REDACTED] said that he called Costello over long distance from Miami just before [REDACTED] flew up but Costello denies that either [REDACTED] or [REDACTED] called him long distance. Howard said he borrowed \$10,000, without security, from [REDACTED] on 2/7 and wired \$2,000 of this to Miami and took the balance back to Miami with him on 2/9/35. Costello said Howard gave him \$5,000 for this money to hold and that he later wired it to Howard through [REDACTED] admits he wired \$5,000 to Howard for Costello but cannot fix the date. Western Union records show \$5,000 item transmitted 1/16/35. Note book found in Al Howard's apartment contains the residence and business telephone numbers of [REDACTED] who admits that Scaffa frequently stayed all night with her. [REDACTED] says Scaffa furnished him this woman's apartment telephone number as the number where he could be reached at night. 2/7/35 the Grand Jury returned in open court indictment for perjury in six counts against Scaffa, and also a general indictment against all subjects of this report in two counts, charging the substantive offense of transporting stolen jewelry from Miami, Fla. to New York and a count of conspiracy against all defendants to do so. All defendants, except [REDACTED] and [REDACTED] were arraigned on 6/11/35 before Federal Judge Bondy, Southern District of New York, and released on the same bail as previously set at Commissioner's arraignments. Trial of Scaffa on perjury indictment is set for July 2, 1935.

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N.Y. 87-11

The title of this report is marked changed in order to add the name and aliases of the defendant [redacted] and an alias for Costello. Also for the purpose of excluding from the title the Subjects [redacted] and [redacted]

DETAILS: The following is a joint report of Special Agent in Charge J. M. Keith, Washington Field Office, and Special Agents [redacted] and [redacted]

Information was obtained through [redacted] it was also [redacted] that [redacted]

understood [redacted] In order that neither [redacted] nor [redacted] might have the opportunity to talk with Scaffa or the latter's attorney before being interviewed by Special Agents, arrangements were made with the United States Coast Guard whereby the S/S Bremen was met at quarantine by Special Agents Keith, [redacted] and [redacted] Agents [redacted] and [redacted] when he tin were assigned the duty of immediately interviewing [redacted] Be- reported to Immigration authorities with his passport and Agents Keith and [redacted] were assigned the duty of simultaneously talking with [redacted] between quarantine and port [redacted]

[redacted] During the course of this interview and in subsequent interviews on later dates he made in substance the statement which follows [redacted] also has testified under oath before the Grand Jury.

[redacted]

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Scaffa never mentioned to me the name of Costello or "Broadway Charlie" Stern.

I do not recall that Scarra ever mentioned to me the name of  
[REDACTED]

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On May 29, 1935, subsequent to the testimony before the Grand Jury of [redacted] United States Attorney F. W. H. Adams informed Special Agent in Charge Keith that in his opinion all the defendants in this case should be taken into custody immediately since it seemed apparent to him that the jurisdiction of the government had been very definitely established and a sufficiently strong case had been made out against all the defendants to warrant their arrest and trial. It was his opinion that they should be taken into custody immediately prior to the formal return in open court of such indictments as the Grand Jury might decide to present, because of information that one of the defendants, [redacted] and it was inadvisable to arrest one without arresting all. Accordingly, since it had been definitely proved that the National Stolen Property Act had been violated and a felony thus committed, and since there was good reason to believe that Scaffa, Costello, [redacted] Howard and Stern, together with [redacted] and [redacted] had committed such felony, and it further appearing that these defendants might flee before warrant of arrest could be obtained since no United States Commissioner was available on the evening of this date, plans for immediate action were made.

Special Agents [redacted] and [redacted] were assigned to take into custody Noel Charles Scaffa; Special Agents [redacted] and [redacted] to apprehend Frank Costello; Special Agents [redacted] and [redacted] to arrest [redacted] Special Agents [redacted] and [redacted] to take into custody Al Howard and Special Agents [redacted] and [redacted] to arrest Stern. Instructions were issued that as rapidly as these subjects could be located and apprehended they should be brought directly to the New York Bureau office for questioning by Special Agent in Charge J. M. Keith and Special Agent [redacted]. The above subjects were all arrested on the night of May 29th except Frank Costello, who in some manner received a tip, according to his own admission to Special Agent in Charge Keith later. As rapidly as they were apprehended these defendants were brought to the Bureau office for questioning, subsequent to which they were lodged for safe keeping in Federal Detention Headquarters, New York City.

Charles A. Stern alias "Broadway Charlie" made a signed written statement later set forth in this report. Howard and [redacted] made oral statements which were dictated to a stenographer and transcribed but they refused to sign them, although admitting they were true. Scaffa refused to make any statement. Costello accompanied by his attorney, surrendered on the morning of May 31, 1935, at which time a question and answer stenographic statement, the substance of which is later set forth in this report, was taken from him by Special Agent in Charge Keith and United States Attorney Adams. At the time of his



surrender at the Federal Building, Costello admitted to Agent Keith that he did not go home on the nights of May 29th or 30th because he "got a tip". He refused to divulge the person who "tipped" him. He was asked to identify the person who hailed his car near the apartment house and into which this person entered on the night of May 29th. He stated this person was his brother in law, his wife's brother, whose name was [REDACTED] the name of Costello's brother in law is [REDACTED]

On May 30, 1935, on advice of United States Attorney Adams, complaint was filed against Noel Charles Scaffa charging violation of the National Stolen Property Act in that he caused the jewels to be transported from New York to Miami, Florida. The complaint was filed by Special Agent [REDACTED] Scaffa furnished bail in the amount of \$10,000 for hearing on June 13, 1935. On May 31st complaints were filed by Special Agent [REDACTED] against the defendants Costello, Howard, [REDACTED] and Stern, charging conspiracy to violate the National Stolen Property Act by transportation of the stolen jewelry from Miami to New York. On May 31st Costello furnished bail in the sum of \$7,500. The bail of Al Howard was fixed by the Commissioner at \$10,000, which he furnished in cash on June 1st. On June 1st, Broadway Charlie Stern also furnished cash bail in the sum of \$5,000. On June 7th, the defendant [REDACTED] furnished a real estate bond which was approved by the court, in the sum of \$5,000. The United States Attorney refused to approve the latter bond.

All defendants pled not guilty at the time of their arraignment. Preliminary hearing for all defendants upon the Commissioner's complaint was fixed for June 13th but in view of subsequent returns by the Grand Jury against all concerned, it is obvious that no such hearing will be granted them on that day.

At 1 P.M., on June 7th, 1935 the Federal Grand Jury formally returned in open court two indictments in this case. The first indictment charges Noel C. Scaffa with perjury in six counts in substance as follows:

PERJURY INDICTMENT AGAINST NOEL C. SCAFFA

Count 1 That he swore falsely when he testified that he did not know in what manner and by whom the stolen jewelry was deposited in American Locker Company box #314 at the Union Bus depot in the City of Miami, Florida.

Count 2 That he swore falsely when he testified that he did not recognize or identify and was not informed as to the

identity nor did he recognize the voice of the person with whom he spoke on the telephone while he was in the Villa d'Este Hotel at Miami on March 18, 1935, at about 2:30 P.M., which resulted in the delivery to him of the key to the abovementioned box.

Count 3 That he swore falsely when he testified that he could not give the identity or an accurate description of the person who delivered to him the abovementioned key to locker box #314 at Miami, Florida at about 3 P.M. on March 18, 1935.

Count 4 That he swore falsely when he testified that he had never seen the stolen jewelry at any time prior to March 18th.

Count 5 That he swore falsely when he testified that he received only the sum of \$2,500 as a fee for his services and did not accept any gratuity in connection with the return of the stolen jewelry.

Count 6 That he swore falsely when he testified that he did not have any information to give with respect to any place or places where and by whom said stolen jewelry had been concealed during the period from its theft on January 26th to its recovery on March 18, 1935.

The above indictment was returned under Section 231, Title 18, United States Code.

In addition to the perjury indictment against Scaffa the Grand Jury also returned a general indictment against all defendants including Scaffa, in substance as follows:

GENERAL INDICTMENT AGAINST ALL DEFENDANTS b7C

Count 1 The defendants [REDACTED] Al Howard, Frank Costello, Charles Stern and Noel O. Scaffa are charged with the unlawful transportation and causing to be transported in interstate commerce from Dade County, Florida to New York City, stolen jewelry valued at \$185,500 (Section 415, Title 18, U.S.C.; Section 550, Title 18, U.S.C.)

Count 2 Charges a conspiracy on the part of the same defendants named in Count 1, for the unlawful purpose of transporting the stolen jewelry from Miami, Florida to New York, enumerating nine overt acts. (Section 88, Title 18, U.S.C.)

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N.Y. 87-11

Certified copies of the general indictment together with certified copies of bench warrants for [redacted] and [redacted] have been delivered by United States Attorney Adams to Special Agent in Charge Keith for delivery to the United States Attorney at Miami, Florida, with instructions that proper detainer be filed at the Dade County Jail against these two defendants.

On June 11, 1935, all the defendants except [redacted] and [redacted] were arraigned before Federal Judge Bondy, Southern District of New York, and all entered pleas of not guilty. Bond on each defendant was continued in the same amount as set on Commissioner's arraignment. The trial against Scaffa on the perjury indictment was set for July 2, 1935.

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N. Y. 87-11

[REDACTED]

[REDACTED]

[REDACTED] stated [REDACTED] is unacquainted with Frank Costello, [REDACTED] or Charles Stern alias "Broadway Charlie"; [REDACTED] has never discussed with Scaffa the jewel robbery and has never seen any of the jewels.

[REDACTED]

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STATEMENT OF [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] When I approached [REDACTED] and asked for the loan of \$10,000 he asked me why I did not get it from Costello. [REDACTED] that Costello and [REDACTED] been associated in "The Brook" at Saratoga and the Embassy Clubs at Florida and New York and the Vogue at New York City, and other enterprises.

[REDACTED] I had gone to Costello's apartment and seen him there and he told me that he was not in a position to advance me any money as he was short of cash at the time.  
[REDACTED]  
[REDACTED]

On the day following my arrival in New York City I talked to Frank Costello, at his office known as The Alliance Distributing Company, 353 Fifth Avenue. He did not say anything to me about having received a telephone call from [REDACTED] and I received no long distance call from [REDACTED] Costello did not mention to me and I did not know anything about his having received long distance calls from [REDACTED] at Miami.

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STATEMENT OF [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] From the Bowman Hotel I called the telephone number in New York of Frank Costello at least twice. I wanted to reach Costello for the purpose of trying to borrow some money from him. I had the unlisted telephone number of Frank Costello in my possession because he had previously given it to me. I have known Frank Costello for four or five years. I have never worked for Costello and I knew him only by meeting him around New York. I had no reason for believing Costello would lend me money except that I had known him for four or five years and knew that he was a gambler. He also knew that I was a gambler. On the first attempt I did not reach Costello personally but talked with his wife. I asked her where Mr. Costello was and she told me he was not in. I told her it was [REDACTED] calling from Miami and that I would call back.

Within a day or so I called Costello a second time and succeeded in reaching him on the telephone. I told him I was broke and asked for money. He said "Well things are not so good" but when he got some money he would send it. I did not tell him [REDACTED] was going to New York, that is, I do not recall whether I mentioned to Costello the fact that [REDACTED] was planning to leave for New York because I don't recall whether I knew it at the time I talked with him. In fact I did not know [REDACTED] was planning to go to New York until about four o'clock on the day he left.

[REDACTED] did not mention to me that he had called Frank Costello in New York and he said nothing to me about the fact that [REDACTED]

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STATEMENT OF [REDACTED]

[REDACTED]

He said nothing to me about getting in touch with Frank Costello upon arrival in New York. I did not furnish him with the unlisted telephone number of Frank Costello.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

b7C

STATEMENT OF [REDACTED]

[REDACTED]

about the Miami-Biltmore robbery and denied all knowledge of it. [REDACTED]

[REDACTED]

[REDACTED]

I have had dinner at Costello's apartment three or four times since my return to New York.

[REDACTED]

[REDACTED]

I desire to state that I had no connection whatever with the Miami-Biltmore jewel robbery. I did not have anything to do with planning this robbery. I was never in the Miami-Biltmore Hotel in my life and never saw Mrs. Bell wearing the jewelry in question at Hialeah race track, at Saratoga or at the Embassy Club in Miami. I do not know where. I have no information whatever about the robbery.

Signed \_\_\_\_\_

Witnesses: \_\_\_\_\_

*John M. Keith*

John M. Keith, Special Agent in Charge  
Federal Bureau of Investigation, U. S. Dept. of Justice

[REDACTED]

Special Agent  
Federal Bureau of Investigation, U. S. Dept. of Justice

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FBI/DOJ

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New York, New York  
May 30, 1935

Before me the undersigned authority this day personally appeared Charles Stern, 897 West End Ave., New York City, and states the following facts are true and correct:

I have known Al Howard for about six or seven years. I have known Frank Costello for fifteen or sixteen years. I have known [redacted] for about two years. I have also known [redacted] for about two years. I do not know Noel G. Seaffa and I don't believe he knows me,

During the winter season of 1934 I worked for Al Howard in the Embassy Club at Miami, Florida. As I recall, he paid me a salary of \$100 a week and then \$150 a week. [redacted] was employed there at the same time. [redacted] also was employed there. I was employed by Al Howard as a floor man in his gambling casino in his Embassy Club. For a period of some seven or eight years most of my income has been derived from the race tracks and gambling halls. I have never been convicted of a crime.

My first knowledge of the Miami-Biltmore jewel robbery came from reading the papers during January, 1935. I had no idea that [redacted] was connected with this robbery. I had never heard of [redacted] before.

I knew that [redacted] had gone to Florida with [redacted] for the purpose of working for Al Howard in the Embassy Club during January, 1935. I knew this because I was present at Lindy's Restaurant at New York when [redacted] purchased his Packard from Martel & Fisher on West 52nd Street. In fact I was induced against my wishes to guaranty payment on this car and in Lindy's Restaurant on this occasion I signed such a guaranty. This occurred I believe the night before the departure of [redacted] and [redacted] for Florida.

I did not know that [redacted] had returned to New York until several days after he had arrived here. I believe it was on the afternoon of the day he was arrested that I went to the Biltmore Baths, located at 44th Street and Madison Avenue, where I encountered [redacted], Al Howard, Frank Costello and [redacted]. I do not know [redacted] present address but he is quite well known around New York as a gambler. I asked [redacted] what he was doing back in New York and he said he had flown up and been here several days. I asked him why he had not driven up in his car and he replied that he had to come here to raise some money to send his partner, [redacted] that they owed a hotel bill in Florida. I asked him if he had obtained the money and he said he had. I asked him where he obtained it and he said

b7c

STATEMENT OF CHARLES STERN

"I got it, what's the difference where I got it?" [redacted] told me that he had gotten \$1,000 and had wired \$500 of it to [redacted] in Florida. I wondered at the time where he would be able to obtain that money. No one overheard this conversation between us.

At around six o'clock on this evening Costello, Howard, [redacted] and I left the baths. As we left the baths Costello and I took a cab around the corner. We invited Howard to go with us. Howard had other business to attend to. [redacted] said he was going to walk up to the Warwick Hotel with [redacted].

Costello and I proceeded to the Stark Club. About an hour later I received a telephone call from [redacted] who told me he had waited outside the Hotel Warwick for [redacted] because he had had some difficulty there and did not desire to go inside with [redacted]. He told me he had been waiting for [redacted] for over an hour and that [redacted] had not appeared; that something must be wrong.

I suggested to [redacted] that he call [redacted] room on the telephone to find out what was the matter. About fifteen minutes later [redacted] called me back at the Stark Club and informed me that he had called [redacted] room; that a strange voice had answered the phone and informed him he had the wrong apartment. He stated that he suspected the party who answered the phone was an officer or detective and that [redacted] had been arrested. I informed Costello as to these developments when I rejoined him at the table. Costello expressed surprise and wondered what could be the matter. I suggested I would call up the local precinct station house to find if he had been taken into custody. I did this but received no information. I also called the 47th Street station with like results. I then called headquarters with the same result.

[redacted]

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STATEMENT OF CHARLES STERN

I later employed [redacted] to represent [redacted] after [redacted] was booked and I found out he had been arrested in connection with the jewel robbery. To date I have paid [redacted] a total of \$500 but I have borrowed back from him \$185 of this money which I now owe him. This was my own money and was not furnished by Frank Costello, Al Howard or anyone else. I kept in touch with [redacted] as to the case against [redacted] both through personal interview and over the telephone. I informed Frank Costello as to the charge against [redacted].

I was in the court room when [redacted] was arraigned and when he waived extradition to Florida. I did not report these developments to Costello. On or about February 18th [redacted] waived extradition and was started for Florida in charge of Deputy Sheriff [redacted] of Florida.

Later, [redacted] who had sold [redacted] the Packard automobile abovementioned, got in touch with me and reminded me of my liability in connection with the automobile. He wanted me to go to Florida and recover this car for him. I told him I had no money with which to make the trip. [redacted] did not offer to advance the money but I borrowed \$200 from a friend of mine named [redacted] who lives someplace in New Jersey. I have known this man around the trucks.

[redacted]

[redacted]

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N.Y. 87-11

On the night of May 29, 1935, Special Agents [redacted] and [redacted] made efforts to take into custody Frank Costello, 241 Central Park West, New York City. Costello was not in his apartment at the time the efforts to take all these defendants into custody began nor did he return to his apartment on the nights of May 29th or 30th. Information was procured by Special Agent [redacted] that Costello's automobile had been observed by an informant near the apartment house at 241 Central Park West, but that some person had hailed him, jumped into the car and that the automobile had then proceeded away at a high rate of speed.

Costello, accompanied by Attorney [redacted] surrendered at the United States Attorney's office at 10 A.M. on May 31st. He was immediately taken into custody by Special Agent in Charge J. M. Keith and was interrogated by the latter and Mr. F. W. H. Adams, United States Attorney. Costello's statement was taken in question and answer form by stenographer [redacted] of the United States Attorney's office. For the sake of brevity, the substance of Costello's statement is reduced to narrative form as follows:

" I am a betting commissioner. I have no other business. I am not connected with the liquor business and never have been. I live at 241 Central Park West. I am married. I was arrested on a liquor charge during prohibition and was tried as a co-defendant with [redacted]. The first jury disagreed then the case was nolle prossed. I was then represented by [redacted].

I have no office. My home is my office. I have no connection with the Alliance Distributing Company (153-157 5th Ave., 3rd floor, New York City) [redacted] is president of that company. I sometimes go up there. I understand this is a liquor distributing company.

I have no bank account and have not had one in twelve or fifteen years. I have no safe deposit box. My wife has no bank account or safe deposit box. I pay rent of \$291 a month on the apartment which I occupy. I filed an income tax return last year. I paid tax on a total income of about \$16,000. My wife has no independent income. I own no stocks or bonds and have no brokerage accounts.

I have known Al Howard for about fifteen years. He owned or ran the Piping Rock, a night club at Saratoga. This was a gambling establishment and I had a little interest in it. My interest was about 20% of the profit. I put up no money outside of loaning him \$5,000.

b7C

No one else was associated with him so far as I know. That was two years ago. I also was associated with him in running The Brook club, a gambling casino at Saratoga, last year. I was not interested in any of his enterprises in Miami, Florida. I loaned him a little money, a thousand or so, but had no interest in the Embassy Club at Miami. I loaned him the \$1,000 last winter. I don't remember the date but it was just prior to the opening, I should say December, probably November. He gave me no security at all. I gave him the money in currency. I sometimes carry an amount of cash around with me when I am down at the race track. I am a betting commissioner, I pay off or collect.

I went to Miami last winter. I arrived there on December 18th. I stopped at the Miami-Biltmore Hotel. I was accompanied by Mrs. Costello, [redacted] and [redacted]. These people are not related to me. [redacted] is a very dear friend of mine. [redacted] is a sister in law of [redacted] and a widow. [redacted] is a bookmaker. I went down there for the holiday weekend. I left Florida on January 2nd. I did not see Al Howard while I was there. I do not believe Howard was down there, he might have been. I didn't see anyone down there except one man with whom I played golf every day. I never left the Biltmore. Just played golf. I have not returned to Miami since that trip.

I have known "Broadway Charlie" Stern for about fifteen or eighteen years. I understand he is a stock broker or something. I don't know where he is connected nor do I know his source of income. I don't even know where he lives. When I want to get hold of him I call or walk around to the restaurant and I catch him. There is never an occasion for me to want him anyhow. I didn't see him in Miami. I have had no business transactions with him whatever. He probably has borrowed money from me. I have loaned considerable money to a lot of people. I have no recollection as to any loan made to Stern.

I know [redacted]. I have known him for four or five years. I first met him on Broadway. I don't know how he makes a living nor for whom he works. I have probably loaned him \$100 or \$200 sometime or another. I don't know that he is connected with Howard. I have seen him with Howard. As far as I know, he went down to Florida to work for Howard last year but the place never opened.

Howard has called me on the telephone - I don't remember what for -- like one friend calls another. I do not know Harry Content or Mrs. Bell or [redacted]. I have read of them in the newspapers.

I know [redacted] I have known him for about two years. I met him when the Piping Rock opened the year before last. I think he was working there. I know [redacted] from Broadway and believe he worked for Al Howard. I don't think he worked for Howard at The Brook club. I did not see [redacted] in Miami. He did not call me up. I have received no letters from him.

I saw [redacted] in New York the day he got arrested. I knew he had been in Miami. It is a natural thing to know he is down at Miami. If he is not around the neighborhood, I know he is in Miami. Previous to that they spoke to me about talking to Al Howard to recommend him for a job down there -- he and [redacted] together, to work. I think I loaned [redacted] \$100 when they spoke to me about going to Florida. I don't know that they went to Florida together nor where they stopped there. I never heard from [redacted] while he was in Florida nor did I hear from [redacted] by either letter, telegram or telephone. I never talked to either of them.

After I had returned from Florida I remained in New York until sometime in February, when I went to Hot Springs. I think I went there around February 15th. I stopped there at the Arlington Hotel. I went there to take the baths. There is nothing wrong with me. I went to Hot Springs alone and stayed for about sixteen or seventeen days. I met some friends down there, a few judges, a few district attorneys, and a few senators. They all go down there. I had no particular plan to meet anyone. I went down by train. I came back by train to St. Louis. At St. Louis I missed my plane and I took another route to Chicago and took a plane from Chicago to New York.

I did not go to Hot Springs for business. I did not hear from [redacted] while in Hot Springs.

I saw [redacted] in New York the day he was arrested (February 7th). I had not seen him before since he left for Florida or for several months. [redacted] called me up that day and says, "I want to see you. I just got in from Florida". I says, "I am going to the Biltmore Turkish Baths - come down and see me". He came down there and he wanted a loan of a few dollars. He was all alone when he came down to see me. I was down there with Al Howard and later four or five others walked in that I know of. I think Charlie Stern walked in. I think [redacted] too. So far as I know, [redacted] is a stockbroker. I was in the steam room when [redacted] walked in. I think all the other men except Stern were in the steam room. I think Stern walked in later. It is one big room. You can sit in there, probably twenty five or thirty chairs. I believe this was in the afternoon - around three o'clock. The next conversation I had with [redacted] was that he had come back from Florida and he needed a few dollars. I gave him \$30 - a twenty dollar bill and a ten dollar bill. He did

Al did not say he had borrowed money from anyone else. He did not say he owed any money. He said he was broke and needed some money. He gave me no note. Howard and Stern were there when he borrowed the money. He probably thought he could get the money from me faster than from Howard. I don't think he knew Howard was going to be there. We just happened to meet there. I go down there two, three or four times a week. I had no arrangement to meet Howard there that day and had no arrangement to meet Stern or [redacted] there. We just met by accident as we had met probably twenty times previously. I don't remember whether [redacted] took a bath. I think I met him in the cool room. Then he might have taken a bath and gone out. I am not sure of that. He could not have stayed there long because the baths close at five o'clock. It was after three and I generally run out before five.

I made no arrangements to see [redacted] again. There were no arrangements about when he would pay me the money back because I did not know whether he had a steady income that could make possible a definite time. He did not tell me what he wanted when he called me on the telephone. I don't believe I spoke to him over five minutes at the most. He just said he had come back from Miami and was broke and wanted a few dollars. He did not mention this jewel robbery. I knew about it because I had read the newspapers. I have never seen [redacted] since. I first learned of [redacted] arrest from the newspapers about two days later but there were rumors that Al Howard also had been arrested. I think I learned about this from someone else but I don't remember. I don't know who tipped me off. I was in a restaurant, they said they arrested Al Howard and [redacted].

Nobody communicated with me or asked me to help either of them. I followed the progress of [redacted] case in the newspapers. I think [redacted] lawyer was named [redacted]. I know of [redacted]. He has been an alderman. He never worked for me. [redacted] represented [redacted] after his arrest in New York. I don't know who paid him. Nobody came around to me to get money for [redacted] and I had no conversation with anybody about paying [redacted]. He has borrowed any money from me to pay [redacted]. I discussed with no one whether [redacted] would waive extradition or would fight it. I talked to no one about [redacted] welfare. I concerned myself in no way about his personal comfort. No one talked to me about it. I sent him nothing while he was in prison, either directly or indirectly. I have no employees working for me.

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I talked with Howard after he was released. He told me what had happened. He said they had arrested him. He told me he knew nothing about it and they just arrested him for no reason at all. I learned through the newspapers that Montone had been taken back to Florida. Howard also told me that they had extradited [redacted] down there. Howard is pretty close to me and he told me about the whole thing. I did not suggest that [redacted] waive extradition. No one talked to me about these jewels that [redacted] had stolen. I did not know he had stolen any jewels. Howard never told me who did.

I don't remember dates but Al Howard probably did get in touch with me when he came to New York on January 31, 1935. That was shortly after I had read about the robbery in the papers. I don't remember what he wanted. I have known the man for years and I can't go much back into what he wanted. He had made a few trips down to Florida. I saw him at the baths and I think he told me he was going back again. He came here to borrow money. I told him I was not going to invest any more down there. I think he borrowed from [redacted]. He was trying to raise \$10,000. We might have talked about the robbery. I don't remember. He knew as much about it as I did.

[redacted] is a bookmaker and I know him. I was not present when Howard talked to [redacted] about borrowing this money. He told me he was going over to [redacted] to borrow some money. Everybody knows [redacted]. I can give you his card (Costello handed to Keith a business card of [redacted] New York City). I don't know how many books on the races [redacted] had but he is an important factor in that line of business. That also is my business. I am connected with [redacted] on one book in a clubhouse at the race track.

Howard wanted the money to open his place in Florida. He said he owed some money down there and he needed \$10,000 to pay off some people. I probably did not have \$10,000 and if I did I would not go into that kind of a venture because I never made any money in it. There was a little trouble in Miami opening this place last winter. I figured maybe they would not be able to open it. Howard did not tell me the authorities had refused to open it. Howard was in New York only a short time and I don't think I saw him but once or twice. He talked to me after he saw [redacted]. He said he had borrowed \$10,000. He had \$10,000 with him. He had told me the day before or two days before that he was going to borrow \$10,000. He wanted it from me. I says 'I can't raise it. If I had it I would not give it to you for that purpose.' He says, 'I think I'll go and ask [redacted] and

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pay him a little interest. I says, 'you can use your judgement'. A day or two later he says, 'I got \$10,000'. He gave me \$5,000 out of the \$10,000. About a week later, I just don't remember the dates, he called me up and told me to send him the \$5,000. He called me from Miami. He was stopping at the Fleetwood Hotel. The next day I send the \$5,000. I was in a restaurant and I gave it to my shirt man. I know him very well. I says, 'Wire this to Al Howard'. There was no special reason why I had him wire it. Just a case if me being a little too lazy. I sent this friend of mine across the street. This was about a week after he had been up here and just before I went to Hot Springs. I think this was after he was arrested. The man who wired the money to Al Howard is Gy the shirtmaker. He is at 49th Street and Fifth Avenue. I buy my shirts from him. I met him in Lindy's Restaurant. I am almost sure this was after Howard had been arrested. I don't want to go on record for dates. I don't think I saw Howard again until he shut down at Miami for good and came back to New York, which was probably a couple of weeks or a month later. I think I have seen Howard several times in March after I came back from Hot Springs. Yes - I have seen him. He talked to me about this fellow [redacted]. He told me he was getting a raw deal and to use his own words, 'They were kicking him around for no reason at all and they broke his place and everything for no reason at all'.

I never heard of [redacted] before he was arrested but I know now that he was in this case.

Howard said he had no interest in [redacted]. He said they pulled him out of his house one night for no reason at all. Howard was telling me what they had done to him down there. He did not tell me what [redacted] intended to do. I don't know whether [redacted] intended to go to trial or plead guilty. I had no talk with Howard after that. I had no talk with Stern after that. I have no memory of talking with anyone about that. There might have been a casual talk. You walk into a restaurant and get talking and naturally, they know I know him - this is just a casual talk. I never discussed with Al Howard any plans. Neither Al Howard nor Stern, nor [redacted] or anyone else ever said anything to me about the jewelry.

[redacted] called me on the telephone only once after his return to New York from Florida, that was on the day that I met him at the Biltmore baths. [redacted] did not call me over long distance from Florida. The only calls I got from there were from Al Howard and [redacted] a fellow that owns a restaurant down there. [redacted] never telephoned me. I do not know Noel Scaffa and never saw him in my life. I do not know the lawyer [redacted] and I have never met [redacted]. I know him by reputation only. He is the district attorney. I do not know [redacted]. I do not know [redacted] the



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Chief of Detectives. I want to tell you something. Here's the position I am in. I was born in New York. I am here all my life and I know everybody, and I am inclined to help almost everyone, if possible, with no interest, personal, financial or otherwise. When they are in trouble, sick or need rent and I got it, I help them and I believe it's my reputation. It is my only interest in this whole situation and I have nothing else to say."

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The following page is that of statement taken from [redacted] Howard, with respect to \$5,000 sent by him by Western Union to Al Howard, as a courtesy for Frank Costello.

Considerable difficulty was experienced before locating the date of the Western Union money order in question. [redacted] Commercial Department, Western Union, Accounting Center, finally located money order in question. Same is dated January 16, 1935; it is addressed to Al Howard, Fleetwood Hotel, Miami Beach, Florida; transmits \$5,000; no message accompanied money order; signature of sender is given as Frank Costello per [redacted]. A charge of \$12.10 was made for the money order plus a telegram rate of 97 cents, or a total of \$5,013.07 was collected from [redacted]. There could be no question but what the correct date was January 16, 1935, as a rubber stamp on the telegram appears in four different places. The original also bears a machine rubber stamp, number 12526.

[redacted] also exhibited to Agent [redacted], Western Union Money Order Draft #D-15568, issued at Miami, Florida, January, 1935, payable to Al Howard, in the sum of \$5,000 as being telegraphed from New York City on January 15, 1935 from Frank Costello. The reverse of this draft bears the endorsements:

(Rubber Stamp)

By [redacted]

"Al Howard"  
The Fleetwood Management Company

The first bank stamp endorsement appearing on the reverse is dated January 17, 1935.

Although [redacted] personally appeared with Agents [redacted] and [redacted] at the West 52nd Street branch of the Western Union of his company. Accordingly, such a subpoena duces tecum in order to of the United States Attorney's office, Southern District of New York and served on [redacted] on June 3, 1935.



67C

New York, New York  
June 3, 1935

Before me, the undersigned authority this day personally appeared [redacted] New York City, residence address [redacted] New York, who being first duly sworn deposes and says upon oath that the following facts are correct:

I have known Frank Costello of New York City for seven or eight years. It is my custom to eat frequently at Lindy's Restaurant. I usually have my breakfast there. Early during the present year, perhaps in February, I cannot fix the exact date, while having breakfast in Lindy's I encountered Frank Costello, who was there at a table with others whom I do not know. Frank Costello has bought shirts from me on frequent occasions and I have seen him around New York and at the track over a period of years. Costello asked me if I had an account at Western Union. I told him I did. My account at Western Union is at the branch office at 54th Street, between Broadway and Seventh Avenue. Costello then handed me an envelope with the statement that it contained \$5,000 and he asked me if I would telegraph this money to Al Howard at Miami, Florida. I do not know Al Howard. He gave me the address and I recall it was in care of some club, perhaps the Embassy Club at Miami.

Pursuant to these instructions I went to the above described Western Union telegraph office and transmitted this money by telegraph to Al Howard at the address given me. I recall that the Western Union fee for transmittal of this money amounted to about \$12 or \$14, which I paid. Costello later saw me at Lindy's and refunded this amount to me. The Western Union records should show the exact date of this transaction. I do not recall it.

I had no idea as to why Costello wanted me to transmit the money to Al Howard. When I opened the envelope I saw it contained five one-thousand dollar bills. Costello said nothing about his reasons for transmitting this money to Howard nor did he tell me why he wanted me to do it. I do not recall whose name I signed to the money transferred but I think I signed Costello's name but I may have signed my own name or perhaps both names. I hereby consent and agree that the records of Western Union on this transaction should be made available to Mr. J. M. Keith, Special Agent in Charge, Federal Bureau of Investigation, U. S. Department of Justice, to whom I am making this statement.

I have read the above statement and hereby declare the facts set forth therein to be true and correct to the best of my knowledge and belief.

Witnesses:

*J. M. Keith*

Spec. Agt. Chge., Fed. Bureau of Investigation  
U.S. Dept. of Justice.

[redacted] Spec. Agt., Fed. Bureau of Investigation  
U. S. Dept. of Justice.

was interviewed on June 6, 1935 by [redacted] New York, J. Howard Carter and Special Agent [redacted] United States Attorney [redacted]

[redacted] stated that he is a commission broker with place of business at [redacted] that he has known Frank Costello about ten years and that to his knowledge Costello during the last few years had also been a commission broker; that he is also acquainted with Albert J. Contento alias Al Howard, a night club proprietor and gambler; that he is not acquainted with Charles Stern alias C. Alvin Stern nor with [redacted] or [redacted] that he, [redacted] last saw Contento on June 3, 1935, he believed; that Contento borrowed money from him on only one occasion, that day being February 7, 1935 and the amount borrowed \$10,000.

[redacted] produced a note dated February 7, 1935, made in the amount of \$11,000, with maturity one month after date and the place payable as [redacted] the note being signed "A. J. Howard". [redacted] explained that the note in the amount of \$11,000 represented the principal of the loan and the premium of \$1,000. [redacted] stated that the money was loaned to Howard for the purpose of financing the gambling at the Embassy Club operated by Howard in Florida; that he [redacted] was not aware of whether the club was operating at the time he loaned the money to Howard; that he had no conversation with any individual other than Howard relative to the Howard loan; that Frank Costello was not in any way concerned with the loan; that the first information concerning the Bell-Content Jewel robbery was received by him through the newspaper reports.

[redacted] stated that he knows of the Alliance Distributors Corporation and knows one individual named Phil Kastell who is connected with that corporation; that he is not acquainted with the nature of the business of the Alliance Distributors Corporation; that he had visited the club known as the Piping Rock, operated by Howard, but that he had not loaned any money to finance that venture; that the \$11,000 loan to Howard has not been repaid although he solicited repayment of it; that he did not require that Howard place collateral for the loan and that it was not endorsed by anyone.

[redacted] further stated that he had been in Florida and had met Howard there; that he stopped at the Roney-Plaza Hotel and believes that his visit in Florida was about the 10th of January and for a period of only a few days; that he did not discuss the Bell-Content case with Howard and believes that he made the loan to Howard either one or two days after Howard's request; that the bills making up the loan were large bills of \$1,000 or \$500 denomination and were obtained by him from his safe deposit box at the National City Bank, 41st Street and Broadway Branch; that present at the time he delivered the money to Howard was [redacted] (who was present during instant interview with [redacted])

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87-11

RECORDS OF BILTMORE HOTEL TURKISH BATHS

Investigation was made at the Biltmore Hotel Turkish Baths, Madison Avenue and 43rd Street, because of Frank Costello claiming to have met other subjects at such place.

[REDACTED] permitted an examination of all record sheets from February 1 through May 1, 1935. The sheets for January had been destroyed. Most of the handwriting on the sheets is that of [REDACTED] who collects from the guests. The information on the record sheets was very brief, a different sheet being used for each day, reflecting the surname of the guest and the room to which assigned. The following tabulation represents the names and dates of visitors as observed by Special Agents [REDACTED] and [REDACTED]

<u>DATE</u>	<u>ROOM NO.</u>	<u>NAME</u>
February 2	9	[REDACTED]
	10	[REDACTED]
	11	Stern
	15	[REDACTED] - Costello
	19	Howard
February 7	14	Costello
	15	Kastell and Howard
	17	[REDACTED]
	21	[REDACTED]
	34	Stern
	32	Cohen and [REDACTED]
February 9	20	Stern
February 10	8	Costello
February 11	8	Costello
	10	[REDACTED]
February 14	20	[REDACTED]
February 16	9	Kastell
	15	Costello and Friend

(Rooms 9 and 15 are opposite, indicating this group together as a party).

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87-11

DATE	ROOM NO.	NAME
February 24	15	Castell and Friend
February 28	20	[REDACTED]
	32	[REDACTED] and Friend
March 4	8	Howard
March 8	5	[REDACTED]
March 15	8	Costello
March 19	8	Costello
March 28	15	Costello and [REDACTED]
April 1	8	[REDACTED]
April 3	32	[REDACTED] and [REDACTED]
April 4	9	[REDACTED]
	15	Costello and [REDACTED]
April 6	14	Costello and [REDACTED]
April 8	15	Costello and two friends
April 9	18	[REDACTED]
April 10	8	Costello and [REDACTED]
April 12	9	Costello
	15	Costello and two friends
April 13	50	Howard
April 15	8	Costello [REDACTED]
April 17	2	[REDACTED]
April 22	8	Costello and [REDACTED]

No further names were noted of interest up through May 31, 1935.

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[redacted] identified photographs of Howard and Costello as being the parties mentioned in above tabulation. He was very weak in his identification of the photograph of [redacted]. He claimed inability to identify the photograph of Stern. [redacted] mentioned in the above tabulation was described by [redacted] as to leave no doubt but what such party was Scaffa's attorney. However, [redacted] could not connect [redacted] with any of the other parties of interest as being at the baths together. [redacted] advised that the Kastell mentioned in the above tabulation was Phil Kastell, believed by [redacted] to be a partner of Costello in some form of a gambling enterprise. The Cohen mentioned in the tabulation was believed by [redacted] to be a retired business man, known as DeWitt Clinton Cohen. [redacted] was of the opinion that the Levy appearing with Costello on February 2 was known as Judge Levy, but further particulars were not known. [redacted] shown above was also identified as being [redacted] the well known betting commissioner. [redacted] could not definitely say whether [redacted] or [redacted] was in on particular dates in tabulation above. However, he was of the opinion that [redacted] and not [redacted] was the brother who was seen more often in the company of Costello.

Most of the items of interest in the above tabulation appear in the handwriting of [redacted]. The items under date of February 7 are in [redacted] handwriting. When off one day a week, he is replaced by [redacted] whose handwriting appears on only a few items of interest. Definite understanding was had with [redacted] that the register sheets for February, March and April would be retained for possible later use in response to subpoena duces tecum.

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b7C

The following are telephone calls recorded by the telephone tap placed on the telephone of Frank Costello at 241 Central Park West, New York City (Endicott 2-3677) and which are of interest to the investigation:

2/15/35 12:45 P.M.

[REDACTED]  
An outgoing call as follows: A male voice answered - phoning male voice asked if it was [REDACTED] When told it was phoning voice asked if he saw those fellows. [REDACTED] told him not to use any names over the phone, and further told phoning voice that everything apparently is coming out all right, the only thing to be careful of paste.

2/16/35

10:55 A.M.

#1225

Outgoing call: Frank Costello phoned and the male voice who answered was called Paul by Costello. Paul called Costello "Chief". Costello instructed Paul to be there where he is now at 1:00 o'clock and receive a call intended for Costello and to give the telephone number of the Biltmore Baths to this party telling him that Costello will be expecting a telephone call from him there. Costello further told Paul that he had a cold and was trying to break it by going to the baths. Paul stated he will follow the Chief's instructions.

2/17/35

12:40 P.M.

#1483

Incoming call: Charlie phoned Frank. Wanted to know if he could see him today. Said he wanted to see about that thing so when he sees the other fellow he could tell him. Frank wanted to know if he will be home all day. When told he would, Frank asked him to call back in a couple of hours because he first wanted to get some sleep before he would talk to him. Charlie said he will and hung up.

3:20 P.M.

#1483

him

Outgoing call: Costello phoned to a Mr. Stern and asked to come over to his house. Stern said he would, right away.

2/19/35

12:20 P.M.

Outgoing call: A female voice answered the phone. Costello inquired of her as to who it was had left that telephone number for him to call. Female said wait a minute, and another female answered the phone saying "Hello". Frank Costello wanted to know who it was, and she told him [REDACTED] Costello wanted to know how she obtained his office telephone number and she told him from [REDACTED] and they then had a conversation about her



b7c

husband who she did not see for the past six months. She also wanted to know when she could see him. He wanted to know the address and she told him, 210 East 43rd Street (in the penthouse). He then told her he was going to be around there and will drop in to see her. She said that would be fine and they hung up".

(Record is not clear as to the officer on duty during the last noted call however, it was probably [REDACTED] #1485.)



b7C

The following are telephone calls recorded by the telephone tap placed on the telephone of Frank Costello at 241 Central Park West, New York City (Rudicott 2-5677) which are of interest to the investigation:

4/21/35

8:38 A.M.

Frank asked [redacted] to play some golf - arranged to meet each other at 10:00 A.M.

4:45 P.M.

Charlie called - talked to Mrs. Costello - wanted to talk to Costello - not home; Charlie said he had been trying to get Al.

6:30 P.M.

Man called - talked to Mrs. Costello - asked for Al; said he thought Al was there for dinner.

6:50 P.M.

Charlie called some man - planned to meet later.

7:10 P.M.

Mr. Stern called [redacted] from Costello's apartment - planned to meet later.

(Agent's note: evidently misunderstood, probably meant to be [redacted])

4/23/35

8:20 A.M.

Party called and talked to man who answered to the name of Frank. Party said he was nervous and would be in on the 9 o'clock train. Told Frank that he was planning to meet a party from Chicago concerning a business deal - that he had asked them in Chicago to send him a hundred pieces but it was slow coming in; that as soon as it got in, it had to go out; that he had sent some of it to Buffalo; that the party was going to try to get 75 from him, and had stated that he had 10 coming to him. Frank said that he could not have any money until next week at which time he had to use it for a certain matter, and that he was going to care for Tony. Other party said that he had to send some money also; that they spent hundreds like nickels - party said he would call Frank when he got to town. Frank said he had to pay to keep them quiet.

10:05 A.M.

Costello called man - no name used - Costello told man he couldn't connect with mouthpiece and couldn't help him much. Man said they beat their case. Costello said the only person he knew to help was Judge ----, sounded Italian.

b7c

4/23/35 7:55 P.M.

[redacted] calling Mr. Costello. [redacted] wife went to St. Louis; his father got some on [redacted] will see Costello Thursday night and in the office tomorrow. [redacted] Costello to come to his house for dinner Monday night. [redacted] wife talked to Costello about her trip to Hot Springs. Social conversation ensued. [redacted] wishes to invite Charlie for dinner Tuesday night also - not Monday.

(Agent's note: [redacted] is a resident of [redacted] occupying an apartment on the 19th floor, and is reported by [redacted] to be very friendly with the Costellos. There appears some question as to the identity of Charlie, previously recorded conversation indicating that there is a Charlie in Costello's office, and the Charlie referred to may not be Charlie Stern. There is also mentioned on this date a "Louie", which may possibly be [redacted] reported to be a friend of [redacted].

9:23 P.M.

Costello asked for [redacted] - woman answered phone and said that [redacted] was out of town - Costello told her to tell him he would see him at the golf club tomorrow, at which the woman told him [redacted] would not be in town tomorrow, but she would give the message to [redacted] in the morning. Frank closed by saying to tell [redacted] that he had called.

11:40 P.M.

Incoming call: Man by name of [redacted] or [redacted] asked woman by name of Bobby for Frank. Costello came to phone and [redacted] asked him if he was still interested in the matter. Phil called him up about that he had [redacted] get in touch with [redacted] that arrangements should be made to get in touch with the D.A.; that a hearing is to be had before Judge Cotillo tomorrow; that Cotillo could help if he would by some little technicality in the law, but he felt that they would have some trouble reaching Cotillo; that the Governor had already signed the extradition papers. Frank then asked [redacted] if he knew [redacted] of Staten Island; that [redacted] was associated in business with one of [redacted] Frank's friends. [redacted] intends to see [redacted] tomorrow to talk out one of his friends. [redacted] stated he had been busy in Brooklyn with three cases, one of them with [redacted] former Republican leader who is his client, and if he got out of court early tomorrow he would meet Frank at the Golf Club around noon. [redacted] then asked Frank if there is anything else he could do - Frank said he had delivered his contract. [redacted] told him that [redacted] was satisfied that man (known as the Dutch Schultz of Penna.) from Penna. could do him no good.

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4/25/35 10:05 A.M.

Outgoing call - 4-25-35 Dial Record (Bogartus 4390) - Frank or Phil called - talked to woman - name sounded like [REDACTED] probably Costello's secretary - Frank or Phil said he expected a call from Buffalo, New York, from [REDACTED] also expected to hear from [REDACTED] and [REDACTED] - Frank (?) came to phone - [REDACTED] said that a [REDACTED] had called and had left for Miami but would be back Saturday.

4/27/35 8:30 A.M.

Incoming call - Al called Frank and made plans to leave from Frank's at 9:30 in Al's car. Al has been playing the horses and won \$90. yesterday.

9:35 A.M.

Frank calling Stamford 4-4963

Hello [REDACTED] please.

Who's calling?

Mr. Frank Costello

Just a moment

Frank - Hello.

[REDACTED] - Hello.

Frank - How's it up there?

[REDACTED] - O.K.

Frank - What dough is coming in?

[REDACTED] They're coming in Tuesday for a 100 and another 100 as they get it.

Frank - That's O.K.

[REDACTED] Sure, that's the way. I figure after all you can't insult their intelligence. I told them that I had to give the factory at least 500 with the order.

Frank - I spoke to the little fellow.

[REDACTED] - What did he say?

Frank - Tried to chisel in for 2 1/2.

[REDACTED] How come you're not playing golf?

Frank - I'm going out now.

[REDACTED] I had three fellows up here from down South.

Frank - From down South?

[REDACTED] Yeah - you know - lawyers - from where Al Howard was - someone mentioned my name and your name. I asked them why call me or Frank - he's no more interested than I am - I only know what I read in the papers

Frank - Yeah - that's right.

[REDACTED] - I said we only know the little fellow and we're willing to help him out of any trouble if we can.

Frank - Yeah - that's right.

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4/27/35 10:15 A.M. [REDACTED]  
Outgoing call: two women

Hello Lil

Hello Bob

Bob: I called before but the line was busy

Lil: Well, we expect it any minute. I'm heartbroken.

Bob: Anyone suffering so long is terrible - terrible

Lil: Yeah, it sure is terrible. What did you do last night?

Bob: Met Frank at Moore's - saw a terrible show.

Lil: Who did you see?

Bob: Howard and Swifty - they went with us

Lil: How are they all - Howard and Swifty?

Bob: O.K.

Lil: Where's the boss?

Bob: I heard him make an appointment for his golf club -  
[REDACTED] going to play with them.

Lil: So you better wait around till he gets back.

Bob: What's news over there?

Lil: Some friend of Al's committed suicide. Trouble over his wife -  
he feels bad. Sorry I can't go out with you. But you'd better  
stay in - no use taking any chances.

4/27/35

10:50 A.M. [REDACTED]

Incoming call - man named Patsy called - talked to Mrs. Costello  
asked for Frank. Costello was not home and Mrs. Costello was  
unable to tell where he could be located.

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5/22/35 8:55 P.M. [REDACTED]

Incoming call - Mr. Stern called and asked the maid for Mr. Howard. Mrs. Howard came to the phone and said "Don't do that". Stern: "What?" Mrs. Howard - "You know what". Stern: "What did I do?" Mrs. Howard - "The last thing you did". Stern: "What?" Mrs. Howard - "Don't give your last name on here". Stern: "Oh". Mrs. Howard - "Al went out. Do you get that business?" Stern: "O.K. kid".

5/23/35 7:18 P.M. [REDACTED]

Outgoing call to Eldorado 5-9003, The Stork Club. Mr. Howard asked for Mr. Costello. A man at the Stork Club said that Mr. Costello just left. Mr. Howard then left a message. Tell Mr. Costello that Mr. Howard called Mr. Costello and just missed him.

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Below is a tabulation of the possible long distance telephone calls of interest made from the Fleetwood Hotel, Miami Beach, Florida to New York City. Same is based on an examination of the Fleetwood Hotel telephone traffic sheets and the original toll sheets made by the long distance operators, the latter being examined at the Headquarters Office of the Telephone Company at Miami, Florida.

The period checked covers from January 1 through April 1, 1935:

<u>DATE</u>	<u>PARTY CALLING</u>	<u>ROOM</u>	<u>#CALLED</u>	<u>PARTY CALLED</u>
1/26	Howard	706	Rector 2-5151	[REDACTED]
1/29	[REDACTED]	1154	Wisconsin 7-5991	McAleenans, Loans 1330 Broadway
2/1	"	"	Riverside 9-1482	[REDACTED]
2/13	Howard	260	Wickersham 2-6483	Old # for Howard residence.
2/15	"	"	Algonquin 4-4390	Alliance Distributing Corp., 153 -5th Ave. Frank Costello office.
2/15	"	"	Eldorado 5-8934	Waldorf-Astoria Corp. (Toll slip shows talk to "Costello").
2/16	"	"	Rhineland 4-0200	Kirae Hotel (Toll slip shows call to [REDACTED])
"	[REDACTED]	1154	Wisconsin 7-5991	McAleenans
2/19	"	"	"	"
2/24	Howard	260	Plaza 5-6219	Howard residence
	(Toll slip gives date as 2/23)			
3/8	[REDACTED]	1154	Wisconsin 7-5991	McAleenans
3/11	Mrs. Stern	518	Washington Hgts. 7-0726	[REDACTED]

(Room 518 not used by Charlie Stern. No reason to believe his wife was with him in Florida. However, he claims [REDACTED] is a friend of his w:



67C

87-11

<u>DATE</u>	<u>PARTY CALLING</u>	<u>ROOM</u>	<u>#CALLED</u>	<u>PARTY CALLED</u>
3/19	Howard	758	Far Rockaway 7-1835	[REDACTED]
3/27	[REDACTED]	1154	Riverside 7-1492	[REDACTED]
4/1	Howard	758	Columbus 5-4071	[REDACTED]

[REDACTED] had made several calls to Presidente Hotel, Havana, Cuba, but same are not being mentioned herein as not presently considered of interest. At least one of his calls to Havana, Presidente Hotel, was to [REDACTED] a Federal Customs Agent.

The following represents calls of interest from the Bowman Hotel: (year 1935)

<u>DATE</u>	<u>PARTY CALLING</u>	<u>ROOM</u>	<u>#CALLED</u>	<u>PARTY CALLED</u>
2/1	[REDACTED]	224 A	Endicott 2-3677	Frank Costello
2/2	[REDACTED]	224	Endicott 2-3677	Frank Costello
2/3	[REDACTED]	224	Endicott 2-3677	Frank Costello

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87-30-211 - pages 98-106

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87-11

INVESTIGATION DETERMINING THAT FRANK COSTELLO  
AND FRANK SAVERIO ARE ONE AND THE SAME PERSON.

After Costello surrendered himself to the United States Attorney on May 31, 1935, Costello was brought to the New York Police Station by Deputy Marshal [redacted] for photographing and fingerprinting. The return from the New York Police Department on Costello's prints reflected an arrest on March 12, 1915 as "Frank Saverio" for which a Penitentiary sentence was imposed. Costello strenuously denied any prior conviction. The 1915 arrest was not supported by fingerprints by the New York Police Department; also the return from the Bureau's Identification Unit reflected no prior record of Costello.

Special Agent [redacted] of the New York Bureau ascertained from the office of the District Attorney, New York County, that Frank Saverio pleaded guilty to a charge of carrying a pistol on March 26, 1915; such indictment was #104831, filed March 16, 1915, on March 26, 1915 he was sentenced by Judge Swann to one year in the State Penitentiary at Welfare Island. This was the outcome of the March 12, 1915 arrest.

[redacted] Welfare Island Penitentiary, delivered to Agent [redacted] a photograph of Frank Saverio (Welfare Penitentiary #K-28664). Same reflects a decided resemblance to Frank Costello, his resemblance is strong in the formation of the ear shown in the profile, the nose, and two moles on the right side of chin. The records at Welfare Island reflect Costello gave address as 222 East 108th Street and occupation as pipe fitter. Also had two scars - vaccination marks on each arm. His 1915 description, according to Welfare Island records, was: 141 pounds, 5 feet 6 1/2 inches, hair - dark brown, and eyes, medium brown.

At the Department of Correction, 25th Floor, Municipal Building, (handling parole records) Agent [redacted] ascertained that Frank Saverio was released from this pistol carrying sentence on February 5, 1916. The prisoner's only visitor at the Penitentiary was Loretta Saverio, described as wife, living at same address, 222 East 108th Street.

When Agent [redacted] was making inquiry at the office of the Clerk of Court, General Sessions, it was learned that Dennis O'Leary, the District Attorney for Queens County, on January 17, 1920, requested all information pertaining to Frank Costello alias Frank Saverio.

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At the office of the Queens County District Attorney, Agent [redacted] ascertained: That Queens County Indictment #6289 was returned on June 10, 1919 and charged [redacted] and Frank Costello with first degree grand larceny; the crime was alleged as of May 19, 1919; complaining witness was [redacted]; that bail on Costello was fixed at \$5,000 and was furnished by the Fidelity Company of Maryland, then at 309 Broadway; that arresting officer was [redacted] then of the 109th Precinct; and, the indictment was dismissed on December 18, 1920 by Judge Humphreys on request of the District Attorney. The records do not reflect the reason for the dismissal. It will be noted that this 1919 arrest is not reflected in the records of the Criminal Identification Bureau of the New York Police Department.

Special Agent [redacted] obtained certified copies of Marriage License, dated September 22, 1914, on Marriage Certificate #25202. In same, Frank Costello, age 23, of 24 West 117th Street, gave occupation as plumber; father was Luigi Costello, born in Italy; mother, Marie Saverio, also born in Italy. The wife's maiden name was Loretta Geigerman with a then address of 1968 Seventh Avenue, New York City, she giving birthplace as U. S. A.; her father, Jack Geigerman and mother, Cecelia Josephs, also born in U. S. A. It appears the marriage ceremony was performed on September 23, 1914 by Reverend Father Thomas McCandless of St. Michaels Church. Witnesses to the ceremony were Pauline Walden Cassotto and Saverio Cassotto of 712 West End Avenue. The Marriage License was not returned to the Clerk of Court until November 1, 1915. It is to be particularly noted that in the application of his Marriage License, Costello gave the maiden name of his mother as Saverio. This would also substantiate that the March 12, 1915 arrest of him as Saverio is applicable to this defendant.

It is also to be noted that Costello admitted to [redacted] of the Bureau Criminal Identification, New York Police Department, that he was the same as the Frank Saverio arrested in 1915.

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Inquiry at the New York Police Department disclosed that the March 12, 1915 arrest of Frank Costello as Frank Saverio had been made by Officers [redacted] and [redacted] Yeale has since died.

[redacted] 8th Detective Division, 46th Precinct, 2120 Myer Avenue, Bronx, was interviewed on June 7, 1935. His residence is [redacted]. The recent photograph of Costello (taken by New York Police on May 31, 1935) and two old photographs of Frank Saverio (taken respectively by the New York Police and by Welfare Island Penitentiary during 1915) were shown to [redacted]. He expressed the opinion that the photographs were the same man. He also recalled that the man he arrested as Saverio, later pleaded guilty to a misdemeanor charge and received a sentence of one year. He believed he could identify Saverio today should he be confronted with such person.

At time of arraignment on bench warrant on June 11, 1935, Costello admitted that the 1915 arrest of Frank Saverio applied to himself. In other words, admitting a prior conviction.

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87-30-211 - pages 110 - 113

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DESCRIPTION

Name: FRANK COSTELLO alias Frank Saverio  
 Age: 44 (born ? possibly New York City)  
 Height: 5 ft. 7-3/4 in.  
 Weight: 170 lbs.  
 Build: Medium, slightly fleshy.  
 Complexion: Medium - slightly dark.  
 Hair: Dark Chestnut  
 Eyes: Brown  
 Marks: 2 moles, right chin;  
 Large nose.  
 Nationality: Italian  
 Wife: Loretta (nee Geigerman)  
 Residence: 241 Central Park West, N.Y.C. (Endicott 2-3677)  
 Occupation: Horse race Betting Commissioner - Gambler.  
 Photo: N.Y.C.P.D. #B-58412 of 5/31/35  
 Handwriting: Not presently available.

Criminal Record:

- 5-6-08 - As Frank Costello, NYC P.D. Assault & Robbery.  
Disch. 5/8/08. Mag. Kernochan, 5th Ct.
- 3-12-15 - As Frank SAVERIO, NYC P.D. Poss. Revolver.  
Pleaded Guilty 3/26/15. NY Co. Judge Swann sent'd  
1 yr. Welfare Island Peny. Rel'd 2/5/16.
- 1919 - Offense of 5/19/19, 1st Deg. Gd. Larceny, Indicted  
in Queens County 6/10/19. Indictment dismissed  
12/18/20. Indictment charged [REDACTED]  
[REDACTED] and Frank Costello.
- (Above 3 items are not supported by fingerprints).
- 5-31-35 - As Frank Costello, Fed. Bur. of Inves. NYC.  
Charge - Consp. Nat'l Stolen Prop. Act.
- 5-31-35 - Photo'd & fingerprinted NY NYCPD as courtesy  
for U.S. Marshal S.D.N.Y.  
Rel'd 5-31-35 on \$7500 Bail. Pending.

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87-30 - Serials 211 (pgs. 115-117) through 213

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# FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT **JACKSONVILLE, FLORIDA**

FILE NO.

REPORT MADE AT <b>NEW YORK CITY</b>	DATE WHEN MADE <b>6/22/35</b>	PERIOD FOR WHICH MADE <b>6/12-19/35</b>	REPORT MADE BY <b>J. M. KEITH</b>
TITLE <b>NOEL C. SCAFFA, et al</b>			CHARACTER OF CASE <b>NATIONAL STOLEN CONSPIRACY</b>
<p><b>SYNOPSIS OF FACTS:</b></p> <p style="text-align: center;">b7C</p> <p>_____ and _____ refused to confess crime to Special Agents. _____ informed _____</p> <p>_____ containing unlisted telephone number of Frank Costello. _____</p> <p>_____ is now missing. Evidently destroyed prior to entry of Bureau into investigation. _____ records. _____ corroborate _____</p> <p>_____ all exhibits used in _____</p> <p>_____ subject to federal subpoena. Detainers filed against _____ and _____</p> <p style="text-align: center;">- P -</p>			
REFERENCE:		Report of Special Agent in Charge J. M. Keith, dated at New York City, June 12, 1935.	
DETAILS:		The following is a joint report of Special Agent J. M. Keith, and Special Agents _____ and _____	
APPROVED AND FORWARDED: <i>J. M. Keith</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES <b>87-30-214</b>	
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It also is to be noted that [redacted] made a question and answer statement to [redacted]

[redacted] In this question and answer statement, [redacted]

It was perfectly obvious that [redacted]

[redacted] was also interviewed, at great length, by agents, but he [redacted] He claims that he knows nothing about the robbery; that he had no part in it and he knows nothing about the jewelry or where it was taken, or who may have turned it over to Scaffa. He would add nothing to the statement already made by him and previously reported. During the course of the interviews with [redacted] he was interrogated closely as to [redacted]

He finally stated [redacted]

He also was questioned closely as to any telephone calls which he may have made to Frank Costello upon arrival. It is to be noted that he previously denied talking with Costello, although admitting that he did call Costello's number which [redacted] had given him but was not able to talk with Costello. During this interrogation he finally admitted that he did see Frank Costello at the Biltmore Baths on the afternoon of the day he was arrested, and that Costello loaned him \$25.00. It is to be noted that Costello claims he did talk over the telephone with [redacted] on this day, made a date to meet him at the Biltmore Baths and there loaned him \$30, a twenty dollar bill and a ten dollar bill.

[redacted] informed Special Agent in Charge Keith that [redacted]

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transported the jewelry to New York City by airplane, where he had turned it over to Al Howard, who already had gone there. [redacted] stated [redacted] was not willing to talk with Special Agents about these admissions [redacted]

[redacted] be used as a witness if desired by the Government, and would inform Special Agent [redacted] at Miami [redacted] Special Agent [redacted] has been requested to keep in touch with [redacted] on this matter and submit appropriate report covering his interview with Royse.

[redacted]

It is to be noted in reports previously submitted that at the time of his arrest in New York City on February 7, 1935, by City Detectives [redacted] and [redacted], a notebook was found on the person of [redacted] which among other things contained the unlisted telephone number of Frank Costello. [redacted] claims that this notebook was given back to [redacted] at the time he was removed from New York to Florida by [redacted]. [redacted] was interviewed by Special Agent [redacted] and he disclaimed any knowledge of the notebook in question. The effects of [redacted] on deposit at the Dade County Jail were examined by Agent [redacted] but the notebook was not found among them. In several interviews with [redacted] he insisted that his notebook was never returned to him by the New York police. However, he admitted, as previously reported, that his notebook did contain the telephone number of Frank Costello in New York and that this number had been furnished him by [redacted] prior to his departure from Miami by airplane on February 6th; that the number was furnished him by [redacted] because the latter wanted him [redacted] to telephone Costello in an effort to borrow money for [redacted].

Anticipating the trial of these defendants in the Federal Court for the Southern District of New York, Special Agent in Charge Keith checked the records of the Clerk of the Criminal Court of Records, Dade County, Florida, to ascertain whether the exhibits previously used in the State Court trial and conviction of [redacted] and [redacted] were still intact and would be available for use in the Southern District of New York when needed. The following information was obtained from [redacted] Deputy Clerk, and [redacted]

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3 unrecorded documents dated 6/25/35, 6/14/35 & 7/5/35

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J. Edgar Hoover  
Dept. of Justice  
Washington, D.C.

June 19, 1935

ANONYMOUS LETTER  
KEEP ENVELOPE ATTACHED

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You have in your power at the present time if honestly investigated the real enemy #1 of the United States. He is Frank Costello arrested last month in the Scaffa jewel robbery and held on bail in the Eastern Federal District of New York.

[REDACTED] A special prosecutor would be advisable.

This Costello at the present time and for the past ten years is real head of the Union Sicillione in the United States, head of all gambling, slot machines, murders, and liquor smuggling. He is the largest shareholder of Prendegast, Davis & Co., wholesale liquor dealers in New York of which Costello and [REDACTED] are the real owners and through which most of imported smuggled liquor is handled. He did a five year bit in Atlanta for counterfeiting, was held for murder in New York City and acquitted. Has passed millions through various banks in New York City. Some of his larger transactions can be traced through the papers obtained by the N. Y. police in their slot machine raid on his offices at 1841 Broadway, N. Y. He is head of the Kosher Chicken Market ring and only boss of artichoke racket in N. Y. [REDACTED] is his office boy as well as Capone was in Chicago.

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RECORDED & INDEXED 87-30-  
This is not a hoax letter. [REDACTED]

[REDACTED] could be trusted in this matter but he is too friendly with [REDACTED]

JUL 9 1935 JUN 24 1935

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FEDERAL BUREAU OF INVESTIGATION

FORM NO. 1

THIS CASE ORIGINATED AT **JACKSONVILLE, FLA.**

N.Y. FILE NO. **87-11** **RD**

REPORT MADE AT: <b>NEW YORK CITY</b>	DATE WHEN MADE <b>7/1/35</b>	PERIOD FOR WHICH MADE: <b>6/26 &amp; 27/35</b>	REPORT MADE BY: <b>[REDACTED]</b>
TITLE <b>ROBERT C. SCAPPA, et al</b>			CHARACTER OF CASE <b>NATIONAL STOLEN PROPERTY CONSPIRACY; PERJURY</b>

SYNOPSIS OF FACTS: Statement obtained from **[REDACTED]** relative to **[REDACTED]**  
 Statement obtained from **[REDACTED]**

REFERENCE: Report of Special Agent **[REDACTED]**  
 New York City, May 28, 1935.

Under date of June 25, 1935, **[REDACTED]**  
 DETAILS **[REDACTED]** appeared at this office and gave the following statement relative to **[REDACTED]**

APPROVED AND FORWARDED: <i>R. White</i>	RECORDED AND INDEXED <b>JUL 2 1935</b>
COPIES OF THIS REPORT FURNISHED TO: ② - Bureau 3 - Jacksonville 5 - New York (U.S. Atty. S.D.N.Y. 1) <b>COPIES DESTROYED</b>	CHECKED OFF: <b>JUL 16 1935</b> JACKETED: DEPARTMENT OF JUSTICE ROUTED TO: <b>5</b> FILE

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N.Y. 87-11

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Frank Costello to my knowledge was not present in Florida during the time of my stay there.

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N.Y. 87-11

[REDACTED]

About two days after my return to New York City I had an engagement with [REDACTED] and we met Mr. and Mrs. Frank Costello at Dinty Moore's restaurant from whence we proceeded [REDACTED]

About three weeks after my first meeting with Frank Costello I met [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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# FEDERAL BUREAU OF INVESTIGATION

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Form No. 8

THIS CASE ORIGINATED AT JACKSONVILLE, FLA.

JUL 8 1935 PM

N.Y. FILE NO. 82-11

RD

NEW YORK CITY  
WILLIAM CHARLES SCAFFA

CHARLES ALVIN STERN alias Stork  
alias C. Alvin Stern alias Broadway Charlie  
FRANK COSTELLO alias Frank Savario

## SUMMARY REPORT

This summary report applies only to the perjury indictment returned against Noel G. Scaffa in the Southern District of New York, June 7, 1935. A separate summary is being prepared on the substantive indictment against defendants Scaffa, Howard, Costello, Stern, and [redacted] charging violations of, and conspiracy to violate the National Stolen Property Act.

A brief resume of incidents leading up to the perjury indictment is shown below.

Mrs. Margaret Hawthorn Bell and Harry Constant were robbed at the Miami-Biltmore Hotel, Coral Gables, Florida (anuburn of Miami) January 26, 1935. Mrs. Bell lost through this armed robbery, besides other jewelry with an insured value of \$185,500. The insurance policy on the stolen jewelry was carried by Lloyd's of London. This insurance company is represented at New York City by Toupin & Hardin of which [redacted] Noel G. Scaffa is the head and owner of the Scaffa Detective Agency 111 John Street (not incorporated) which was engaged by [redacted] to investigate the Bell robbery. Scaffa's Miami representative during the [redacted]

APPROVED AND FORWARDED:

*[Signature]*

SPECIAL AGENT IN CHARGE

87-30-222

RECORDED AND INDEXED:  
JUL 9 1935

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- 2 Jacksonville
- 5 New York (U.S. Attorney)

BUREAU OF INVESTIGATION

JUL 8 A.M.  
DEPARTMENT OF JUSTICE

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**FEDERAL BUREAU OF INVESTIGATION**

**FREEDOM OF INFORMATION/PRIVACY ACTS SECTION**

**SUBJECT: FRANK COSTELLO**

**FILE NUMBER: 87-30 SECTION 5**

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# FEDERAL BUREAU OF INVESTIGATION

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FORM NO. 1  
THIS CASE ORIGINATED AT **JACKSONVILLE, FLA.**

N.Y. FILE NO. **87-11** RD

REPORT MADE AT <b>NEW YORK CITY</b>	DATE WHEN MADE <b>7/15/35</b>	PERIOD FOR WHICH MADE <b>6/12 - 7/12/35</b>	REPORT MADE BY [REDACTED]
TITLE <b>NOEL CHARLES SCAFFA; et al</b>			CHARACTER OF CASE <b>NATIONAL STOLEN PROPERTY ACT; CONSPIRACY; PERJURY</b>

## SYNOPSIS OF FACTS:

[REDACTED] now claims Scaffa had definitely indicated ability to recover the jewelry on 2/15/35. Jewelry actually returned to [REDACTED] on 3/6/35. Identity of particular \$1,000 bill had by [REDACTED] on 2/4th not obtainable. Possibility of .38 H & R revolver possessed by [REDACTED] at Miami being same as that used in [REDACTED] robbery at New York City during July, 1934. Informant [REDACTED] mention of [REDACTED] not productive. [REDACTED] paid Scaffa \$2,000 on 3/12th and \$7,000 on 3/26th. Scaffa did not deposit these amounts in his bank account. Information obtained from file of Chubb & Son, insurance adjusters, and from newspapers re 1925 Donahue jewelry recovery and the prosecution of Scaffa in such case, reflected herein. Information re telegrams and telephone calls of Al Howard herein reported. Howard's wire of 3/6th (date Scaffa paid "informant") to [REDACTED] Miami, expressed intention of flying to Miami with sufficient funds to take care of you and the others". Defendant Stern was co-purchaser with [REDACTED] on Packard from [REDACTED] Distributors, 153 5th Ave., which is Costello's office. [REDACTED] In credit application [REDACTED] claims to be employed by Alliance passenger on plane flight of 2/3rd from Miami says [REDACTED] did not leave Newark Airport in regular bus. [REDACTED] interviewed on 7/12th but nothing helpful obtained. Trial which had been set for July 15th, continued to 7/22nd on request of defense counsel [REDACTED]

## DETAILS:

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- 3 - Jacksonville
- 5 - New York (U.S. Atty. S.D.N.Y. 1)

SPECIAL AGENT  
IN CHARGE

BUREAU OF INVESTIGATION

DEPARTMENT OF JUSTICE

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N.Y. 87-11

With respect to [redacted] previously mentioned, Special Agent in Charge Keith when in telephone conversation with [redacted] on July 10, 1935, was informed that [redacted] had approached [redacted] during December, 1934 and [redacted] information was so general as to then be considered worthless. Also, [redacted] second visit during June, 1935 and a thorough interview by [redacted] had disclosed that [redacted] possessed no material information. However, [redacted] had promised [redacted] that the matter would be treated in utmost confidence. It was agreed that [redacted] would not be interviewed by this Bureau or further attempts made to contact him, so as not to violate the confidence expressed by [redacted]. This understanding was had with the knowledge that [redacted] possessed no information of help to this case.

[redacted] furnished Agent [redacted] on July 10, 1935 with the names of the detectives and their shifts of duty on the taps maintained by the police department on the telephones of Costello and Stern between February 14th and 26th, 1935. Such information will be later elaborated upon when summary is had on the conspiracy case, showing what officers listened to what might be considered important telephone conversations. It might be briefly stated here that [redacted]

[redacted] the tap on Costello, while [redacted]

Raymond [redacted]

[redacted] the Stern tap. [redacted]

In the absence of [redacted] of Chubb & Son, Agent [redacted] had telephone contact with [redacted] expressed a willingness to submit to an examination of the old file possessed by Chubb & Son on the Donahue jewel loss of 1925 but requested a subpoena in order that relations with the firm's client might not be considered violated. Accordingly, on July 9th subpoena duces tecum was obtained from the office of the United States Attorney, Southern District of New York, and served by Agent [redacted] on Mr. Walsh. Mr. Walsh is a member of the unincorporated firm of Chubb & Son, 90 John Street, and has been with this firm for forty eight years. He produced the file and permitted Agent [redacted] to examine same. It did not appear that this file was complete. The following represents miscellaneous items culled by Agent Moran which might be considered of interest:

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July 26, 1935.

Time 4:46

MEMORANDUM FOR MR. NATHAN

Re: Noel C. Scaffa.

Mr. Keith telephoned and advised that Scaffa had been convicted by the jury on three counts, count one charging him that he did not know by whom the jewelry had been put in the lock box; count four, charging him that he did not see the jewelry prior to March 18th, when it was recovered by [redacted] in Florida and count six, charging that he did not know by whom the jewelry had been concealed between the date of the robbery on January 26th and the date of its recovery on March 18th. Mr. Keith advised that the indictment originally contained six counts, two of which were thrown out by the court on technicalities because the charge did not conform with the actual questions and answers in the Grand Jury transcript, and that the jury found him not guilty on count two, which charged that he testified falsely when he swore that he failed to recognize the voice of the person who called him on the phone and told him to come and get the key. Mr. Keith stated that Scaffa's sentence is being deferred for two weeks. I inquired if Scaffa would move for a new trial and Mr. Keith stated that he believed that he would, but that he did not think he would obtain one as there was no ground to base the movement on.

Mr. Keith advised that Judge Hincks, of Connecticut, had tried the case and done a splendid job; that he, Mr. Keith, was going to have a talk with the Judge and advise him of the whole background. I stated that he should do this, as it was a big case and one of the first of its type to be concluded successfully.

Conc

- Mr. Nathan .....
- Mr. Tolson .....
- Mr. Baughman .....
- Chief Clerk .....
- Mr. Clegg .....
- Mr. Coffey .....
- Mr. Edwards .....
- Mr. Egan .....
- Mr. Harbo .....
- Mr. Keith .....
- Mr. Lester .....
- Mr. Quinn .....
- Mr. Scheidt .....
- Mr. Schilder .....
- Mr. Smith .....
- Mr. Tamm .....
- Mr. Tracy .....
- Miss Gandy .....

Mr. Keith stated the entire case was prosecuted by J. Howard Carter, the first Assistant U.S. Attorney and he did a splendid job. I instructed Mr. Keith to prepare me a memorandum on this when he returned so I could write Mr. Carter a note and thank him.

RECORDED 87-30-239

Mr. Keith stated that [redacted] had constructed a very clever defense; that he made the remark that up to the time of the Scaffa trial he [redacted] had thought the Director and the Bureau were one hundred percent perfect but that he must amend that opinion and say that they are only ninety eight percent perfect because in this case they have blundered terribly, having acted in quite an unethical manner in bringing Scaffa before the Grand Jury while [redacted] was still in Europe. Mr. Keith remarked that [redacted] had offered him a position, which he had declined; that he, Mr. Keith, believes that [redacted] is going to represent Costello, Howard and the rest of the crowd later. Mr. Keith stated that [redacted] had indicated that in case of a conviction, he was going to advise Scaffa to tell

Memorandum telephone conversation  
Mr. Hoover and Mr. Keith 7/26/35.

-2-

the truth and that Mr. Keith believes it would be a good plan to see Scaffa and see if he will talk, although he did not believe he would at this time. I agreed that this would be a good plan.

Mr. Keith stated that he would be back Sunday morning.

Very truly yours,

John Edgar Hoover,  
Director.

Mr. Nathan .....  
Mr. Tolson .....  
Mr. Baughman .....  
Chief Clerk .....  
Mr. Clegg .....  
Mr. Coffey .....  
Mr. Edwards .....  
Mr. Egan .....  
Mr. Harbo .....  
Mr. Keith .....  
Mr. Lester .....  
Mr. Quinn .....  
Mr. Scheidt .....  
Mr. Schilder .....  
Mr. Smith .....  
Mr. Tamm .....  
Mr. Tracy .....  
Miss Gandy .....

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# Federal Bureau of Investigation

U. S. Department of Justice

Room 1403  
370 Lexington Ave.  
New York, N.Y.

JMK:rd  
87-11

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PERSONAL and CONFIDENTIAL

August 10, 1935

Director  
Federal Bureau of Investigation  
U. S. Department of Justice  
Pennsylvania Ave. at 9th St., N.W.  
Washington, D. C.

Re: NOEL C. SCAFFA, et al  
National Stolen Property Act;  
Conspiracy; Perjury.

Dear Sir:

I am transmitting herewith for your preliminary and confidential information statements made at New York City on August 8 and 9, 1935 by Noel C. Scaffa, concerning the Miami-Biltmore Jewel robbery and his connection therewith.

From the statements you will note that Scaffa names Robert C. Nelson, 2531 E. 19th Street, Brooklyn, New York, as the person from whom he received the stolen jewels in New York City on March 6th and to whom he paid the sum of \$45,000. Nelson is known to me and I believe that the data as to him furnished by Scaffa is entirely correct. I am convinced that Scaffa is finally telling the truth about this case and that the attached statements will ultimately enable the government to proceed against all those involved.

Robert C. Nelson has for years been a receiver of stolen jewelry in New York City. He is at the present time under parole from Sing Sing, on a conviction which occurred in 1930 on which he received a sentence of four to eight years, approximately. I understand that he has extensive political connections in New York City and was able to obtain this parole after serving only six to eight months of his time. Nelson is known as a "walking pawnshop". He is an habitue of the race tracks and is well acquainted with Costello, Howard Stern, [redacted] and others connected with this case. The racing season is now on at Saratoga, New York and Nelson is there. Special Agents [redacted] and [redacted] have located Nelson at Saratoga where he is now residing in a private residence on the Northwest corner of Stratton Street and Lincoln Avenue, Saratoga Springs. Nelson plans

Mr. Nathan	.....
Mr. Tolson	.....
Mr. Baughman	.....
Chief Clerk	.....
Mr. Clegg	.....
Mr. Coffey	.....
Mr. Glavin	.....
Mr. Ladd	.....
Mr. Nichols	.....
Mr. Rosen	.....
Mr. Tracy	.....
Miss Gandy	.....

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AUG 22 1935  
TAKEN

*Statement of Noel C. Scaffa  
submitted for Dir. Tolson per Chief Scaffa.  
10-13-35*

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*23*

*acc.*

DIRECTOR - 8/10/35.

to remain at Saratoga, as has been his custom for years, until the end of the racing season there, which lasts the entire month of August. There is no danger that he will flee, according to the information which I have and I deem it inadvisable to arrest him in this case until a thorough investigation has been completed at New York City for the purpose of corroborating as fully as possible Scaffa's statements. It seems obvious that Nelson has now become the link between Scaffa and the Costello-Howard mob and for that reason I am especially anxious to have in my possession every possible fact before interrogating Nelson. Of course, I hope to be able to secure a confession from Nelson and am certain that this will constitute the final link in the case.

I especially urge that everything possible be done to keep the fact that Scaffa has talked a secret until Nelson is arrested. This desire of mine is based upon my belief that should the Costello-Howard mob become informed of the fact that Scaffa has confessed, they might arrange the assassination of Nelson because they undoubtedly know that he is the individual through whom the government might finally establish their complicity in the robbery and the disposal of the stolen jewelry. I believe that I should be in a position to proceed to Saratoga and cause Nelson's arrest by August 14, 1935.

I attach hereto a copy of the photograph of Robert C. Nelson with the request that his Sing Sing record and any other criminal record he may have be forwarded to me at New York.

Very truly yours,



J. M. KEITH  
Special Agent in Charge

Encls.

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FEDERAL BUREAU OF INVESTIGATION

N.Y. FILE NO. 87-11 RD

FORM NO. 1 THIS CASE ORIGINATED AT JACKSONVILLE, FLA.		REPORT MADE BY: J. M. KEITH
REPORT MADE AT: NEW YORK CITY	DATE WHEN MADE: 8/8/35	PERIOD FOR WHICH MADE: 8/8-21/35
TITLE: Changed: NOEL CHARLES SCAFFA		CHARACTER OF CASE: NATIONAL STOLEN PROPERTY CT CONSPIRACY; PERJURY
ALBERT J. CONNOR alias Al Howard CHARLES ALVIN STERN alias Stearns alias C. Alvin SYNOPSIS OF FACTS: Stern alias "Broadway Charlie" FRANK COSTELLO alias Frank Sayerio. ROBERT C. NELSON.		
SYNOPSIS OF FACTS: Beginning August 8, 1935 Noel C. Scaffa, convicted but not yet sentenced for perjury before the Federal Grand Jury at New York, on advice of counsel and without any promises, submitted a voluntary statement to the writer and U. S. Attorney Adams as follows, in substance:		
That prior to the Miami-Biltmore robbery he had purchased two other pieces of stolen jewelry from Robert C. Nelson of Brooklyn, N.Y., paroled for fence; that a few days prior to 2/16/35 Nelson telephoned him at his residence with the statement that if he were interested in the Miami-Biltmore they could be procured in New York for about \$55,000. Scaffa told Nelson this was too much and privately informed [redacted] not only of the phone call but that the jewelry could be bought back for about \$40,000. [redacted] ever, telephoned London and asked for \$75,000.		
Scaffa suggested to Nelson that he take an option on the jewelry pending further negotiations and the receipt of the money from the insurance company. Nelson did so and further negotiations were conducted between himself and Scaffa by telephone and through personal meetings at 144 Broadway, N.Y.C., and in the Grand Central Station, until about 3/3/35 when Nelson agreed to deliver the jewelry to Scaffa for \$50,000 and speed because he might otherwise lose his option on the jewelry.		
On 3/3/35 [redacted] and Scaffa proceeded to Montreal, Canada, where on 3/5/35 they procured the \$75,000 and returned to New York City. [redacted] in the meantime had been calling Scaffa's place of business and [redacted]		

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*White*  
SPECIAL AGENT IN CHARGE

87-30-2514  
BUREAU OF INVESTIGATION  
AUG 24 1935  
DEPARTMENT OF JUSTICE  
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N.Y. 87-11

REFERENCE:

Report of Special Agent in Charge J. M. Keith,  
Washington, D. C., July 29, 1935.

DETAILS:

This is a joint report of Special Agents [redacted] and the writer.

The title of this case is marked "changed" in order to include the name of Robert C. Nelson, New York fence from whom Scaffa purchased the stolen jewelry.

On August 7, 1935, United States Attorney F. W. H. Adams, Southern District of New York, by long distance telephone informed Special Agent in Charge Keith at Washington that [redacted] Scaffa's attorney, had advised him that Scaffa was ready and willing to tell the truth about the source from which he retrieved the Bell-Content jewelry and at the request of Mr. Adams, Keith proceeded to New York City in order to be present when this statement was made. Mr. Adams was informed by [redacted] that Scaffa was not inclined to talk in either the Federal Building or the New York Bureau office because of his desire that the fact that he had told the truth be kept confidential until the government had an opportunity to obtain sufficient corroboration to satisfy itself as to the accuracy of his statements and for the further reason that the premature disclosure of his statement might involve physical danger to the fence from whom he had made the purchase.

Accordingly, on August 8th and for several days subsequent thereto Scaffa was interrogated and executed a written question and answer statement in New York hotel suites, under arrangements calculated to insure no probability that his conferences with Keith and Adams would become known outside of official channels.

Scaffa also was of the opinion that Robert C. Nelson, the fence whom he names as the party from whom he purchased the jewelry, might be killed by the Costello-Kearney mob to keep him from disclosing his knowledge of their complicity.

The following stenographic statement was obtained from Scaffa and, as shown therein, absolutely no promises of any sort were made him by Mr. Adams, by SAC Keith or by any other person and Scaffa has expressed his entire willingness to testify to the contents of his statement before any Federal grand or petty jury, in any future proceedings which may be instituted.

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Q. (Cont'd) did yesterday. Tell me first, so far as you can remember, what your very first information was about him - when did you first know of the man?

A. Of Nelson?

Q. Yes.

A. About 1927-8. There was a loss here in New York at Mauboussin - I think it was located either 300 or 312 Park Avenue - around 53rd Street, although I think they are out of business - it was a sensational hold-up and the people got away with a couple of hundred thousand dollars worth of jewelry. We worked on the case and I picked up some information - I cannot tell you from whom - that Nelson ---- that somebody on the lower east side - a man that is known as [REDACTED], a well known lower east side fence. The story that I got in connection with that case was that the Mauboussin jewelry was sold to some one who was financed by [REDACTED] - the fellow that was killed in Passaic - and [REDACTED] had someone on the lower east side get rid of this stolen property for him and that Bob Nelson, or Robert C. Nelson, had purchased the finest pieces of the collection that had been stolen from Mauboussin, and that the smaller and cheaper stuff was bought by this fellow, [REDACTED] and it was for that reason that when we arrested Nelson about a year and a half later, in getting a search warrant to get into his safe deposit boxes, [REDACTED] charged him with the Mauboussin --- with the receiving of the Mauboussin jewelry. We didn't find any of it - you see, [REDACTED] had to go before a Supreme Court judge and get him to sign these search warrants, and one of the things that he was charged with was the receiving of that Mauboussin property. That was the first time that I had given Nelson any serious thought - and that was some time in 1928. Now, from that time on, I worked on him alone. I tried to get police cooperation; as I told you yesterday, [REDACTED] spilled the beans and he was tipped off on that 'phone tap, and two months later, I went ahead with [REDACTED] with [REDACTED] permission, of course, and no one saw those wire tapping reports except [REDACTED] and myself, [REDACTED] but my men did all the shadowing in the case. We shadowed him for several months - those shadow reports are available - they are available - they are in my office - they are available and contain a wealth of information as to --- if you want to make a note of that --- as to his connections. There are reports on Nelson of a later date that will give you Nelson's connections as we developed them in the last five or six years through surveillance.

Q. Now, without trying to detail those reports - I don't want to ask you to remember them in any way - do those reports show any connection of any kind between Nelson and Howard Costello, Dykes, and that crowd?

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Q. Do you know [REDACTED] of the Jewelers Security Alliance?

A. Yes.

Q. Did Nelson ever indicate to you that he ever worked for him?

A. No sir.

Q. Did you ever work for him?

A. For [REDACTED] No. Ours--you see--ours--you see--are conflicting interests with [REDACTED] He represented the jeweler and I represent--in other words--he represents the insured and I represent the insurer--conflicting interests.

Q. Do you know a man named [REDACTED] with the Jewelers Memorandum Bureau?

A. Yes.

Q. Did you ever do any work for him?

A. No.

"Off the record discussion was held at this point"

Q. Did you at any time on the occasion of any of these various meetings with Nelson use a taxicab from any specific point to any point for the purpose of meeting him?

A. No. Because all my meetings with him were near a subway station either 40th Street and Broadway and Grand Central Station.

Q. In other words, there would be absolutely no records of any sort.

A. No.

Q. Were you ever accompanied to the place of meeting or part way by any other person?

A. No.

Q. And with the exception of [REDACTED] there is no person who knows of your meetings with Nelson so far as you know?

A. Not as far as I know. Some of my men--there may be one or two men while we were tailing him.

Q. But that wasn't during this Bell case.

A. Not this Bell case, no.

Q. You didn't shadow him at all in connection with this case.

A. No.

Q. Did Nelson ever mention to you in any connection Costello-Howard.

A. He mentioned Howard. He said he saw Howard at the race track.

Q. When?

A. During the period that we had these conversations from April 26th or 27th to May 26th or 27th.

Q. That was after he had returned the jewelry to you.

A. Yes.

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By Mr. Keith:

- Q. Did [redacted] indicate any knowledge or information whatever as to who may have told [redacted] to wire you?
- A. No.
- Q. Do you have any idea?
- A. Well, whoever dealt with Nelson on the case - that's purely a guess on my part.
- Q. Well, the records of the Fleetwood Hotel in Miami show that subsequent to March 9th, present there were Al Howard, Broadway Charley Stern, [redacted] and, of course [redacted] who admits being quite friendly with all these parties. They were in Miami, and in New York, of those under arrest, from March 9th on, were Costello and [redacted] Nelson presumably was in New York.
- A. Well, I say, whoever Nelson dealt with must be the one that told [redacted] to call me in order to drag me down there.
- Q. Did you ever hear of a man named [redacted] in connection with this case?
- A. No. I think the best way to determine who told [redacted] to telegraph [redacted] would be to get your visitor's list and see who visited [redacted] on the 10th and 11th.
- Q. Yes, but [redacted] being [redacted] down there, no records are made of his visits to the jail, and [redacted] too. [redacted] is his attorney and no records are made of [redacted] visits to the jail. Did [redacted] wire you because you had a tentative arrangement with Nelson that you would come down there?
- A. You see, I wasn't going down.
- Q. What were you going to do? Did you put the deal through on the \$15?
- A. I said I would come down, but here it was the 11th, or five or six after this jewelry is recovered, and I am still in New York and give indications of coming down there.
- Q. You told Nelson you would come down to try to arrange a sentence of to five years for [redacted]
- A. I believe I told him that.
- Q. They expected you to come down there? Wouldn't it have been [redacted] you suggest to Nelson at any time that you should be requested to come down?
- A. No.
- Q. Did you suggest to anyone else that you be requested to come down?
- A. If I talked to anybody, it would be Nelson because I didn't know else in the case but him.

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Scaffa furnished Special Agent in Charge Keith with the actual surveillance reports of his operatives mentioned in the above summation, and the summation itself was dictated by Keith in the presence of Scaffa and his operatives [redacted] and [redacted]. The foregoing summation in fact represents [redacted] statement since he conducted the principal part of the surveillance and supervised all of it.

[redacted], employe of the Scaffa Detective Agency, was interviewed on August 13, 1935, and advised that for a period of years he has done work for the above agency. He identified a photograph of Robert C. Nelson and stated that Nelson lived at 2123 Voorheis Avenue, Brooklyn, New York; that he has been to the residence of Nelson for the purpose of keeping him under surveillance from the time he left there in the morning until his return at night; that he has been employed in such fashion during 1934 and 1935. [redacted] stated that he made written reports as to his activity which were submitted to the Scaffa Detective Agency, the original notes being retained by himself.

[redacted] further stated that he recalled driving Scaffa and [redacted] of Toplis & Harding, to a point near Nelson's residence, stating that it was on Ocean Avenue, across the street from Nelson's home, where he dropped them off. [redacted] stated that at the time he did not know where they were going but that he has since determined it was to the Nelson residence. [redacted] stated that at no time did he hear Scaffa and [redacted] discussing the purpose of this visit. He advised further that he had no definite recollection of seeing Scaffa return with a package, however, he related that Scaffa had inquired whether [redacted] had his gun and upon his reply in the negative, furnished [redacted] with a gun advising him to "keep it handy", which lead [redacted] to believe it possible that Scaffa may have had a valuable package with him.

[redacted] informed that while keeping Nelson under surveillance he found that he contacted several men, whose names are to [redacted] unknown, they being referred to in his work by numbers, at 45th Street and Sixth Avenue, New York City, known as the "Jewel Corner". [redacted] could not recollect just when he shadowed Nelson but was of the opinion that it must have been during the warm weather since Nelson wore no overcoat and according to [redacted] never wore a hat. When questioned concerning Nelson's contacts and more specifically about Costello, [redacted] Broadway Charlie Stern, et al, he advised he knew none of these men by name but might know them by sight, keeping in mind that all Nelson's contacts were referred to by number.

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August 31, 1935

→ With the arrest on August 31, 1935 of Robert C. Nelson, 2531 East 19th Street, Brooklyn, New York, a paroled Sing Sing convict, Special Agents of the Federal Bureau of Investigation, United States Department of Justice, struck again in their investigation of the Miami Biltmore jewel robbery and the New York jewelry racket. Nelson is charged with conspiracy to violate the National Stolen Property Act and is named by J. Edgar Hoover, Director of the Federal Bureau of Investigation, as the New York fence from whom Noel C. Scaffa, private detective, for the sum of \$45,000, on March 6, 1935, purchased for Lloyd's of London the stolen diamonds and pearls of which Mrs. Margaret Hawksworth Bell was robbed on January 26, 1935 while vacationing at a fashionable Florida resort.

b7C The Federal Bureau of Investigation entered this case late in March, 1935, immediately following the nol-prossing in the State Courts at Miami of the robbery charges against [REDACTED] of New York, who had been accused of the robbery of Mrs. Bell, using as his confederate one [REDACTED] alias [REDACTED]. As a result of new evidence discovered by the Bureau, and presented to the special prosecutors, both [REDACTED] and [REDACTED] were convicted at Miami of robbery armed and were sentenced to serve 25 years each in the Florida State Penitentiary. They are now in the Dade County Jail awaiting review of their conviction by the Supreme Court of the State of Florida.

The evidence collected by the Bureau as to the transportation of the stolen jewelry was presented to the Federal Grand Jury for the Southern District of New York, beginning on April 20th, with the result that indictments were returned against a total of seven defendants charging transportation of and conspiracy to transport in violation of the National Stolen Property Act, four strings of matched Oriental pearls, one diamond bracelet, 1 sapphire and diamond wrist watch bracelet, one 32 carat diamond ring and other jewelry of which Mrs. Bell was robbed, insured by Lloyd's of London for a total of \$185,500.

In a Memorial Day round-up, Special Agents of the Federal Bureau of Investigation took into custody at New York City, Noel C. Scaffa, private detective, Frank Costello, Albert J. Contento, alias

87-30-264X

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Al Howard, ex-convict and night club proprietor, [REDACTED], gambler and Charles Stern, also known as Broadway Charlie. The latter two defendants were former employees of Contento alias Howard, along with [REDACTED]. Federal detainers have been filed with the Sheriff of Dade County, Florida against [REDACTED] and [REDACTED].

Noel C. Scaffa, private detective and famed retriever of stolen jewelry, was also indicted by the same Federal Grand Jury for perjury as a result of testimony which he had given as to the manner in which he had brought about the return of the Bell jewels to [REDACTED] of Toplis and Harding, New York adjusters for Lloyds of London. Scaffa was tried in Federal Court at New York City on this indictment and on July 24, 1935 was found guilty by jury on three counts of perjury. He has not yet been sentenced. He could receive from the Federal Judge a maximum sentence of 5 years on each count.

With the arrest of Robert C. Nelson, the 8th defendant in this case, Mr. Hoover believes that the Government has in custody one of the most important jewelry fences on the Eastern Seaboard. Nelson was convicted in 1931 in the State Courts of New York as a receiver of stolen jewelry and was received on November 18, 1932 at Sing Sing Prison, Ossining, New York under sentence of 4 to 8 years. After a few months he was paroled and, according to information possessed by the Federal Bureau of Investigation, he has since his release on parole from Sing Sing been the receiver of stolen jewelry in at least five large jewel robberies, including the Miami Biltmore case and involving stolen gems valued at approximately one-half million dollars. It is specifically charged by the Government that soon after the robbery of Mrs. Bell at Coral Gables, Nelson possessed the stolen jewelry at New York City and offered the same to Scaffa who, with the money of Lloyd's of London which had been furnished him by [REDACTED] of Toplis and Harding, finally purchased the stolen gems from Nelson for the sum of \$45,000 with the understanding that of this amount \$15,000 would be returned to Scaffa for the use of the adjusters in paying rewards provided Scaffa could effect arrangements whereby [REDACTED] would receive leniency in the Florida Courts. It is charged by the Bureau that Nelson delivered the stolen jewelry to Scaffa on March 6, 1935 and that Scaffa thereafter, on behalf of the adjusters, visited various Florida officials in the interest of [REDACTED] resulting finally in the public "recovery" at Miami Beach of the stolen jewelry, on March 18, 1935, twelve days after the gems actually had been recovered in New York City.

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# Federal Bureau of Investigation

U. S. Department of Justice

Washington Field Office, Rm. 5252,  
Washington, D. C.

August 28, 1935.

Mr. Nathan	✓
Mr. Tolson	✓
Mr. Baughman	
Chief Clerk	
Mr. Clegg	
Mr. Coffey	
Mr. Edwards	
Mr. Egan	
Mr. Foxworth	
Mr. Harbo	
Mr. Joseph	
Mr. Keith	
Mr. Lester	
Mr. Quinn	
Mr. Scheidt	
Mr. Schilder	
Mr. Tamm	✓
Mr. Tracy	
Miss Gandy	

*E. J. Connelley*

Director,  
Federal Bureau of Investigation,  
U. S. Department of Justice,  
Pennsylvania Ave. at 9th St., N.W.,  
Washington, D. C.

Dear Sir:

Pursuant to your instructions, I submit herewith a suggested release to the Press to be given out in the case of Noel C. Scaffa, et al, National Stolen Property Act, subsequent to the arrest and arraignment of Robert C. Nelson, New York jewel fence.

As you know, it is planned to effect this arrest on the night of Saturday, August 31st when Nelson returns to the Southern District of New York from Saratoga Springs where he is now sojourning.

It is understood, of course, that should a confession be obtained from Nelson, additional facts may develop for your consideration in this release.

Very truly yours,

*J. M. Keith*

J. M. KEITH,  
Special Agent in Charge.

JMK:JGM  
87-11  
Encl.

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SEP 10 1935

77-30-271

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SEP 10 1935

*[Signature]*

*CCD*

August 31, 1935

With the arrest on August 31, 1935 of Robert C. Nelson, 2531 East 19th Street, Brooklyn, New York, a paroled Sing Sing convict, Special Agents of the Federal Bureau of Investigation, United States Department of Justice, struck again in their investigation of the Miami Biltmore jewel robbery and the New York jewelry racket. Nelson is charged with conspiracy to violate the National Stolen Property Act and is named by J. Edgar Hoover, Director of the Federal Bureau of Investigation, as the New York fence from whom Noel C. Seaffa, private detective, for the sum of \$45,000, on March 6, 1935, purchased for Lloyd's of London the stolen diamonds and pearls of which Mrs. Margaret Hawksworth Bell was robbed on January 26, 1935 while vacationing at a fashionable Florida resort.

The Federal Bureau of Investigation entered this case late in March, 1935, immediately following the nol-prossing in the State Courts at Miami of the robbery charges against Nicholas Montone, alias Little Nicky, of New York, who had been accused of the robbery of Mrs. Bell, using as his confederate one Charles Cali alias Charles Williams. As a result of new evidence discovered by the Bureau, and presented to the special prosecutors, both Montone and Cali were convicted at Miami of robbery armed and were sentenced to serve 25 years each in the Florida State Penitentiary. They are now in the Dade County Jail awaiting review of their conviction by the Supreme Court of the State of Florida.

The evidence collected by the Bureau as to the transportation of the stolen jewelry was presented to the Federal Grand Jury for the Southern District of New York, beginning on April 20th, with the result that indictments were returned against a total of seven defendants charging transportation of and conspiracy to transport in violation of the National Stolen Property Act, four strings of matched Oriental pearls, one diamond bracelet, 1 sapphire and diamond wrist watch bracelet, one 32 carat diamond ring and other jewelry of which Mrs. Bell was robbed, insured by Lloyd's of London for a total of \$185,500.

In a Memorial Day round-up, Special Agents of the Federal Bureau of Investigation took into custody at New York City, Noel C. Seaffa, private detective, Frank Costello, Albert J. Contanto, alias

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Al Howard, ex-convict and night club proprietor, Pasquale Tesoriere alias Patsy Dikes, gambler and Charles Stern, also known as Broadway Charlie. The latter two defendants were former employees of Contento alias Howard, along with Nicholas Montone alias Little Nicky. Federal detainers have been filed with the Sheriff of Dade County, Florida against Montone and Cali.

Noel C. Scaffa, private detective and famed retriever of stolen jewelry, was also indicted by the same Federal Grand Jury for perjury as a result of testimony which he had given as to the manner in which he had brought about the return of the Bell jewels to Henry L. Glidden, President of Toplis and Harding, New York adjusters for Lloyd's of London. Scaffa was tried in Federal Court at New York City on this indictment and on July 24, 1935 was found guilty by jury on three counts of perjury. He has not yet been sentenced. He could receive from the Federal Judge a maximum sentence of 5 years on each count.

With the arrest of Robert C. Nelson, the 8th defendant in this case, Mr. Hoover believes that the Government has in custody one of the most important jewelry fences on the Eastern Seaboard. Nelson was convicted in 1931 in the State Courts of New York as a receiver of stolen jewelry and was received on November 18, 1932 at Sing Sing Prison, Ossining, New York under sentence of 4 to 8 years. After a few months he was paroled and, according to information possessed by the Federal Bureau of Investigation, he has since his release on parole from Sing Sing been the receiver of stolen jewelry in at least five large jewel robberies, including the Miami Biltmore case and involving stolen gems valued at approximately one-half million dollars. It is specifically charged by the Government that soon after the robbery of Mrs. Bell at Coral Gables, Nelson possessed the stolen jewelry at New York City and offered the same to Scaffa who, with the money of Lloyd's of London which had been furnished him by Henry L. Glidden of Toplis and Harding, finally purchased the stolen gems from Nelson for the sum of \$15,000 with the understanding that of this amount \$15,000 would be returned to Scaffa for the use of the adjusters in paying rewards provided Scaffa could effect arrangements whereby Montone alias Little Nicky would receive leniency in the Florida Courts. It is charged by the Bureau that Nelson delivered the stolen jewelry to Scaffa on March 6, 1935 and that Scaffa thereafter, on behalf of the adjusters, visited various Florida officials in the interest of Montone, resulting finally in the public "recovery" at Miami Beach of the stolen jewelry, on March 18, 1935, twelve days after the gems actually had been recovered in New York City.

Preliminary steps in anticipation of the action of the Federal Grand Jury were initiated by Special Agents of the Federal Bureau of Investigation on the evening of May 29, 1935, when Noel C. Scalfa was taken into custody. A complaint was filed against him before the United States Commissioner, charging him with the transportation of stolen jewelry in violation of the National Stolen Property Act, he was arraigned before said Commissioner on May 30th, pleaded not guilty, and was released on a \$10,000 bond.

Albert J. Contento alias Al Howard, was taken into custody the night of May 29th, a complaint was filed against him before the United States Commissioner, charging him with conspiracy to transport stolen property in interstate commerce in violation of the National Stolen Property Act, he was arraigned on May 31st, pleaded not guilty, and his bond was fixed at \$10,000. He has furnished this bond and been released.

[REDACTED] was taken into custody on the evening of May 29th, a complaint was filed against him before the United States Commissioner, charging conspiracy to transport stolen jewelry in interstate commerce in violation of the National Stolen Property Act, he was arraigned on May 31st, pleaded not guilty, and his bond was fixed at \$5,000.

Charles A. Stern alias "Broadway Charlie", was taken into custody the night of May 29th, was arraigned before the United States Commissioner on May 29th, a complaint was filed against him before the United States Commissioner, charging conspiracy to transport stolen property in interstate commerce, in violation of the National Stolen Property Act, he was arraigned on May 31st, and his bond was fixed at \$5,000. He has furnished this bond and been released.

Frank Costello surrendered at the Federal Building, New York City, on the morning of May 31st, a complaint was filed against him before the United States Commissioner, charging conspiracy to transport stolen property in interstate commerce in violation of the National Stolen Property Act, he was arraigned on the morning of the 31st, pleaded not guilty, and was released under \$7500 bond.

The United States Commissioner held Scalfa, Contento, [REDACTED], Stern, and Costello for further hearing on June 13, 1935.

As previously indicated, the following indictments have today been returned by the Federal Grand Jury at New York City:

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Neal C. Searfa - Perjury and conspiracy to violate the National Stolen Property Act; Misprison of Felony (violation of Section 861, Title 18 U.S.C.) in failing to inform Special Agents of the Federal Bureau of Investigation of the true facts in this case.

Frank Costello - Conspiracy to violate the National Stolen Property Act.

Albert J. Contente alias Al Howard - Conspiracy to violate the National Stolen Property Act.

[REDACTED] - Conspiracy to violate the National Stolen Property Act.

[REDACTED] - Conspiracy to violate the National Stolen Property Act.

Charles A. Stern alias "Broadway Charlie" - Conspiracy to violate the National Stolen Property Act.

[REDACTED] - Conspiracy to violate the National Stolen Property Act.

There are attached hereto copies of the criminal records of Albert Contente alias Al Howard [REDACTED] and [REDACTED]. Photographs of [REDACTED] Contente and Frank Costello are also attached.



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Mr. Tolson...  
Mr. Baughman...  
Chief Clerk...  
Mr. Clegg...  
Mr. Coffey...  
Mr. Edwards...  
Mr. Egan...  
Mr. Foxworth...  
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Mr. Keith...  
Mr. Lester...  
Mr. Quinn...  
Mr. Scheidt...  
Mr. Schilder...  
Mr. Tamm...  
Mr. Tracy...  
Miss Gandy...

FBI NYC

9-2-35

643 PM EDST

RJS

DIRECTOR - ATT- MR. NATHAN

RHONE. RE SCAFFA CASE. RELEASE GIVEN OUT TO PRESS AT NYC 6-30 PM EST. WITH THE ARREST ON AUGUST 31, 1935, OF ~~ROBERT C.~~ ROBERT C. NELSON, ~~WAS~~ ~~2531~~ 2531 E. 19TH STREET, BROOKLYN EXX NEW YORK, A PAROLED SING SING CONVICT, SPECIAL AGENTS OF THE FEDERAL BUREAU OF INVESTIGATION, UNITED STATES DEPARTMENT OF JUSTICE, STRUCK AGAIN IN THEIR INVESTIGATION OF THE MIAMI BILTMORE JEWEL ROBBERY. NELSON IS CHARGED WITH CONSPIRACY TO VIOLATE THE NATIONAL STOLEN PROPERTY ACT AND IS NAMED BY J. EDGAR HOOVER, DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION AS THE NEW YORK PERSON FROM WHOM NOEL C. SCAFFA, PRIVATE DETECTIVE, FOR THE SUM OF \$45,000 ON MARCH 6, 1935 PURCHASED FOR LLOYDS OF LONDON THE ~~STOLEN~~ STOLEN DIAMONDS AND PEARLS OF WHICH MRS. MARGARET HAWKSWORTH BELL WAS ROBBED ON JANUARY 26, 1935 WHILE VACATIONING AT A FASHIONABLE FLORIDA RESORT. THE FEDERAL BUREAU OF INVESTIGATION ENTERED THIS CASE LATE IN MARCH 1935 IMMEDIATELY FOLLOWING THE NOL PROSSING IN THE STATE COURTS AT MIAMI OF THE ROBBERY CHARGES AGAINST NICHOLAS MONTONE, ALIAS LITTLE NICK OF NEW YORK WHO HAD BEEN ACCUSED OF THE ROBBERY OF MRS. BELL, USING AS HIS ~~CONFEDERATE~~ CONFEDERATE ONE CHARLES CALI ALIAS CHARLES WILLIAMS. AS A RESULT OF NEW EVIDENCE DISCOVERED BY THE BUREAU, AND PRESENTED TO THE SPECIAL PROSECUTORS, BOTH MONTONE AND CALI WERE CONVICTED AT MIAMI OF ROBBERY ARMED AND WERE SENTENCED TO SERVE 25 YEARS EACH IN THE FLORIDA STATE PENITENTIARY. THEY ARE NOW IN THE DADE COUNTY JAIL AWAITING REVIEW OF THEIR CONVICTION BY THE SUPREME COURT OF THE STATE OF FLORIDA.

RECORDED & INDEXED

SEP 27 1935

SEP 25 1935

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- 245 SEPT. 19, 1966

PAGE 2

THE EVIDENCE COLLECTED BY THE BUREAU AS TO THE TRANSPORTATION OF THE STOLEN JEWELRY WAS PRESENTED TO THE FEDERAL GRAND JURY FOR THE SOUTHERN DISTRICT OF NEW YORK BEGINNING ON APRIL ~~20TH~~ 20TH WITH THE RESULT THAT INDICTMENTS WERE RETURNED AGAINST A TOTAL OF SEVEN DEFENDANTS ~~CHARGING~~ CHARGING TRANSPORTATION OF AND CONSPIRACY ~~TO~~ TO TRANSPORT IN VIOLATION OF THE NATIONAL STOLEN PROPERTY ACT, FOUR STRINGS OF MATCHED ORIENTAL PEARLS, ONE DIAMOND BRACELET, 1 SAPPHIRE AND DIAMONED WRIST WATCH BARCELET, ONE 32 CARAT DIAMOND RING AND OTHER JEWELRY OF WHICH MRS. BELL WAS ROBBED, INSURED BY LLOYDS OF LONDON FOR A TOTAL OF \$185,000.

IN A MEMORIAL DAY ROUND-UP, SPECIAL AGENTS OF THE FEDERAL BUREAU OF INVESTIGATION TOOK INTO CUSTODY AT NEW YORK CITY, NOEL C. SCAFFA, E PRIVATE DETECTIVE, FRANK COSTELLO, ALBERT J. CONTENTO, ALIAS AL HOWARD, EX-CONVICT AND NIGHT CLUB ~~CLUB~~ PROPRIETOR, PASQUALE TESORIERE ALIAS PATSY DIKES, GAMBLER AND CHARLES STERN, ALSO KNOWN AS BROADWAY CHARLIE. THE LATTER TWO DEFENDANTS WERE FORMER EMPLOYEES OF CONTENTO ALIAS HOWARD ALONG WITH NICHOLAS MONTONE ALIAS LITTLE NICKY. FEDERAL DETAINERS HAVE BEEN FILED WITH THE SHERIFF OF DADE COUNTY, FLORIDA AGAINST MONTONE AND CALI.

*Copy to H.W.*

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Federal Bureau of Investigation

U. S. Department of Justice

Room 1403  
370 Lexington Avenue  
New York, N.Y.

WB:rd  
87-11

September 18, 1935

Director  
Federal Bureau of Investigation  
U. S. Department of Justice  
Pennsylvania Avenue at 9th St., N.W.  
Washington, D. C.

Re: NOEL C. SCAFFA, et al  
National Stolen Property Act;  
Conspiracy; Perjury

Dear Sir:

Reference is made to Bureau letter of September 14, 1935 (87-30) inquiring as to parole data on Robert C. Nelson.

[REDACTED] parole commissioners for the State of New York, and who is personally handling Nelson's case, advised Special Agent W. B. Moran, when inquiry was made on September 4th, to the following effect.

Nelson was received at Sing Sing on November 19, 1932. Because of reasonable doubt as to this defendant's guilt a special commutation was extended by Governor Herbert Lehman of New York. Hearings with respect to such commutation were held before the Parole Board on August 15, 1933. Such proceedings were instituted by Nelson. The Parole Board files on Nelson reflect that defendant claims to have expended \$24,000 in attorney's fees which covered his defense and later assistance in obtaining the commutation. Nelson was released from Walkill Prison on August 16, 1933 and has made monthly appearances since to his New York City Parole Officer, [REDACTED]. The defendant's maximum of parole expires October 10, 1940.

RECORDED

The State Parole Board issued a warrant against Nelson for violation of his parole on September 3, 1935, based on newspaper items and with no information from this Bureau. The warrant was lodged as a detainer with the United States Marshal for the Southern District of New York on September 5th. Nelson is now confined in the Federal Detention Headquarters at New York City. He had intended making \$5,000 bail but the parole warrant

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Director  
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changed his mind. Nelson concluded he would fare better at the Federal Detention Headquarters than at the Tombs Prison in New York City.

Information in the New York Parole Board file reflects that a comparatively close watch had been kept on Nelson's activities. On two occasions he had been refused permission to visit Hot Springs, Arkansas and on another occasion had been refused permission to visit Chicago, Illinois.

It is expected that Nelson will be indicted in the very near future but as yet the United States Attorney has not signified whether Nelson will be indicted individually or a new indictment returned naming Nelson as a co-conspirator with Howard, Costello, [REDACTED] Stern [REDACTED] and Scaffa.

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Very truly yours,



R. WHITLEY  
Special Agent in Charge

CC:Jacksonville

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FEDERAL BUREAU OF INVESTIGATION

FORM NO. 1

THIS CASE ORIGINATED AT JACKSONVILLE, FLA.

FILE NO. 87-11

RD

REPORT MADE AT: NEW YORK CITY	DATE WHEN MADE: 8/20/35	PERIOD FOR WHICH MADE: 8/31-9/16/35	REPORT MADE BY: J. M. KEITH
TITLE: NOEL CHARLES SCAFFA, et al			CHARACTER OF CASE: NATIONAL STOLEN PROPERTY ACT CONSPIRACY; PERJURY.

SYNOPSIS OF FACTS:

Robert C. Nelson, Brooklyn, N.Y., named by Noel C. Scaffa as the fence from whom he purchased the Miami-Biltmore jewelry for \$45,000 on 3/6/35, apprehended at Grand Central Station, New York City, at midnight, 8/31/35. He orally admitted that he did act as go-between and stake holder for Scaffa in the return of this jewelry but denied he knew or knows the identity of the person representing the thieves, with whom he dealt. Jewelry of the approximate value of \$20,000 contained in Nelson's lock box at the Manufacturers Trust Company examined but none of it identified as stolen. Nelson was arraigned 9/4/35 and remanded to U. S. Detention Headquarters, New York City, in default of \$5,000 bail. Nelson was under parole from Sing Sing Penitentiary and the New York State Parole Board cancelled his parole and issued a warrant for his arrest on 9/3/35. His maximum prison sentence in Sing Sing will expire 10/10/40.

[redacted] now verifies most of the items in Scaffa's statement heretofore in conflict with the previous testimony of [redacted] Scaffa sentenced 9/16/35 to six months in jail on his conviction in three counts for perjury, previously reported.

DETAILS:

REFERENCE: Report of Special Agent in Charge J. M. Keith submitted at New York City, August 23, 1935.

This is a joint report of the writer and Special Agents [redacted] and [redacted]

APPROVED AND FORWARDED:

SPECIAL AGENT IN CHARGE

COPIES OF THIS REPORT FURNISHED TO

- 2 - Bureau
- 2 - Jacksonville
- 5 - New York (U.S. Atty. S.D.N.Y. 1)

DISPOSITION: Sent 9/21/35

BUREAU OF INVESTIGATION

DEPARTMENT OF JUSTICE

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stated he placed this \$15,000 in his lock box where it remained until sometime later (he could not fix the date) when Scaffa insisted that the \$15,000 be returned to him because his client was leaving for Europe and the case against [redacted] would be disposed of the following day. Nelson claimed that he did not know how to get in touch with the stranger with whom he had dealt but accepted Scaffa's assurance that the case against [redacted] would be satisfactorily settled and returned to Scaffa the \$15,000. He could not remember whether he gave Scaffa this money at their usual meeting place in Grand Central Station or at Scaffa's office.

Nelson further stated that later when [redacted] did not get the sentence of two to five years which had been agreed upon, this stranger with whom he had dealt called him twice on the telephone at the Jewel Corner and insisted upon the return of the \$15,000. Nelson also admitted that he got in touch with Scaffa as to this and was informed by Scaffa that the \$15,000 could not be returned because Scaffa's client was in Europe and he would have to await his return.

Nelson described the unknown stranger with whom he dealt as being about 35 to 40 years of age; about 160 pounds; about 5' 8" "or such a matter", dark complexion, either Italian or Jewish, no mustache and no eyeglasses.

Nelson admitted that he knows Al Howard on sight and stated it was not Al Howard with whom he dealt. He stated also that he had seen a photograph of Frank Costello published in the paper after his arrest and that it was not Costello. Photographs of Coste Howard, [redacted] Stern, [redacted] and all others involved in this investigation were exhibited to Nelson but he denied that he received the jewelry from any of them.

Nelson was vigorously interrogated as to the identity and name of the so-called stranger with whom he conducted these negotiations but he stoutly maintained throughout September 1st that he knew him by name. In the presence of Keith, [redacted] and [redacted] he admitted that he had two friends through whom he could ascertain the identity of the stranger in question and that if released from custody until the morning, September 3rd, he would ascertain the party's name and furnish it to Scaffa who in turn could advise Keith. This proposition was of course rejected because it seemed obvious that his desire to be released was in order that he might make unknown contacts possibly for the purpose of warning the so-called stranger. At another time Nelson stated that the party with whom he dealt was a "lamster", meaning that he was a fugitive from justice. When further questioned about

N.Y. 87-11

insisted that he only surmised that this party would be fleeing subsequent to the arrests of the defendants in this case with attendant publicity. At another time Nelson stated that this unknown person was a member of the Costello-Howard mob but when pressed for details stated that he was only drawing conclusions as to this and knew nothing of his own knowledge to substantiate it.

On the early morning of Sunday, September 1, 1935, Nelson was given the privilege of choosing whether he desired to be locked up in United States Detention Headquarters or to remain at the hotel in custody of Bureau Agents. He was told it would be the duty of Agents to either incarcerate him at the Detention Headquarters or keep him in custody pending the availability of a United States Commissioner before whom he might be arraigned. It is pointed out, of course, that he was apprehended after eleven o'clock on Saturday night and that the ensuing holidays of Sunday and Labor Day interfered with his immediate arraignment since no Commissioner or Judge was found available. Judge Patterson, who issued the warrant had gone to Lake George, New York in the Northern District, for the holiday and could not be reached. Nelson elected to remain in the hotel suite in custody of Bureau Agents and the interrogation of him continued at times when he was not asleep or eating, throughout September 1st and 2nd.

Nelson refused to make a signed statement incorporating the admissions previously recorded in this report, and during September 1st and 2nd tried to change his story to the effect that when he acted as stake holder for Scalfa and the unknown man in this transaction, he did not know that the transaction pertained to the Miami-Biltmore jewels. He persisted in this attitude in spite of his previous admissions to the contrary and on September 3, 1935, in the presence of the writer of this report and Mr. J. Howard Carter, Chief Assistant United States Attorney, Southern District of New York, the following statement, in question and answer form, was obtained from Robert C. Nelson at the Federal Building:

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Q. I was about what?

A. About delivering that money.

Q. Did you say anything to Scaffa about the Bell game?

A. No, I didn't; the only thing, a long while after I got talking to him and I said what did those jewels look like; he said it was not much.

Q. Do you know [redacted]?

A. No.

Q. [redacted]

A. No.

Q. Do you know Al Howard?

A. Never seen Al Howard until after he got in trouble on the racetrack.

Q. Did you ever have a talk with him?

A. Never; one day he was standing there and talking horses and play acting to somebody and they said to me do you know Al Howard and I said no and I shook hands with him; that was the first time.

Q. Did you have any other conversation with him?

A. No; I didn't like the looks of him.

Q. Do you know Frank Costello?

A. Never seen the man in my life.

Q. Charlie Stern?

A. Never seen the man in my life; and another fellow, Mr. Keith asked me if I knew him, a fellow by the name of [redacted].

Q. You read about Scaffa's conviction for perjury?

A. Yes.

Q. You read about the indictment of Howard and Costello and those boys?

A. Yes.  
Q. Let's take the conspiracy indictment. If you remember that Howard and Costello and Scaffa had been indicted in this court for conspiracy in connection with the transportation of these jewels and their ultimate return. Did you contact Scaffa or anybody to find out where you stood?

A. Yes. I called him up and told him you've got me in a bit of returning that money and he said don't worry. I met him one on Broadway and 40th Street and was talking to him.

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10

NY File 87-11

Telegram dated March 8, 1935, 12:10 A.M., reading:

[REDACTED]  
Embassy Club Miami Flo

MAKE APPOINTMENT FOR ME WITH [REDACTED] NOON TOMORROW MAKE  
ARRANGEMENTS TO SETTLE PORTERS TONIGHT LEAVING SPECIAL  
PLANE ARRIVE ABOUT SEVEN THIRTY MEET ME INFORM [REDACTED]

Al

Photostats are also available of Western Union money order  
by which Frank Costello on January 16, 1935 transmitted \$5,000 to Al Howard  
at the Fleetwood Hotel, Miami Beach, Fla. The signature of the sender  
is given as Frank Costello, with address as 200 West 51st Street, and  
with telephone Circle 7-7707. This is the money order that was sent  
by [REDACTED] whose name also appears on the face of the money order.  
Same bears numbering machine stamps "12526" and 9545F". The money order  
draft bears number "D-15568", dated January 16, 1935 at Miami, Fla.,  
payable to Al Howard, in the sum of \$5,000, being transmitted by the  
"B.Z." station at New York, from Frank Costello. It bears the endorse-  
ment of Al Howard, and the rubber stamp endorsement of "THE FLEETWOOD  
MANAGEMENT COMPANY, By [REDACTED] Auditor". The first bank stamp  
is that of the Miami Beach First National Bank under date of January 17,  
1935.

[REDACTED] of the Western Union Telegraph Co. has the original  
of the above described telegrams segregated and same will be produced  
for use in court upon telephone call from this office or from the office  
of the United States Attorney. It is likely same will be produced by  
[REDACTED] an investigator, assigned to the Legal Department, and  
who has been used by [REDACTED] on numerous occasions for the introduction  
of Western Union records.

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Subpoena duces tecum was served on [redacted] of the Biltmore Hotel, 43rd and Madison Ave., by Agent [redacted] on September 7, 1935. Same called for the production of the Turkish Baths register sheets for February, March, and April, 1935. [redacted] the Turkish Baths produced the register sheets in one bundle. Same had been held intact since previously examined by Agents [redacted] and [redacted] though the subpoena duces tecum called for the sheets for three months. [redacted] permitted Agent [redacted] to take all of them, which covered the months of February, March, April, and May, 1935. These sheets are presently filed in the New York Bureau Office.

[redacted] of the Biltmore loaned a floor plan of that section of the hotel covering the baths. Photostats of the floor plan were made, and [redacted] the baths, marked on one of the photostats the numbers of the various dressing rooms which may later be of help in figuring what groups were present at the baths on the same occasion.

Examination of the baths' register sheets reflected various names which might be of interest. When again interviewed on September 12, 1935, [redacted] the Turkish Baths, and [redacted] eliminated most of the names as not applying to parties concerned in instant case. He advised that the name [redacted] applied to [redacted] Also that several of [redacted] frequently visited the baths. One of the other brothers is a [redacted] eliminated the name of [redacted] as possibly applying to [redacted] The name [redacted] appeared frequently as occupying Room 5. On several sheets the names of [redacted] Costello, [redacted] and others appear. Because of the connection between [redacted] and [redacted] it was considered that the [redacted] might be [redacted] who has been jointly indicted with [redacted] who occupied [redacted] Federal Income Tax cases. [redacted] claims the [redacted] who occupied Room 5, is [redacted] is retired but for years had been a [redacted] the photograph of [redacted] with aliases (N.Y. P.D. [redacted] was exhibited to [redacted] and [redacted] but both claimed it did not represent anyone whom they had previously seen. The baths' attendants



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claimed the [redacted] whose name appeared frequently, applied to [redacted] who lives at the Warwick Hotel and who is considered to be a reputable gentleman and not of the racketeering type. The name [redacted] frequently appeared, but the bathhouse attendants claimed it does not represent the gambler and racketeer character known as [redacted] name [redacted] frequently appeared. [redacted] claims the [redacted] who frequently appears with Frank Costello, is known to them as [redacted] and is considered to be a bookmaker and otherwise somewhat of a racketeer. The name Nelson appeared on a few occasions, but [redacted] claimed it represented a young, short and heavy-set character who hails from Chicago. He was positive it did not represent Robert C. Nelson, whose description was furnished by Agent [redacted]. The Costello represents local Supreme Court Judge, who has not been known to associate with members of this mob at the baths. The name [redacted] appears on a few occasions, and while the attendants could not readily furnish more particulars, however, they claimed this [redacted] was a friend of [redacted] who is connected with the Hotel Madison. The name [redacted] was observed as being at the baths when Costello and friends were there. The attendants indicated that this party is sometimes nicknamed "Alderman", is supposed to have a connection with Tammany political clubs and has been seen visiting with Costello at the baths.

[redacted] name appears on sheets for March and April, but [redacted] claims this attorney has not visited the baths since the prior interview of [redacted] by Agents [redacted] and [redacted] on June 1, 1935.

[redacted] furnished the following general information about other names, which represent persons who have been at the baths when members of this mob were also there:

[redacted] - reputable art dealer.  
[redacted] located on Fifth Avenue.  
[redacted] the Herald-Tribune;  
[redacted] 60 Wall Street, who visits the baths early every evening about 6:15 P.M.  
[redacted] rarely visits the baths. [redacted] is infrequent, and [redacted] occasionally visits [redacted] on September 8, 1935 indicated to [redacted] that he was opening a new restaurant and would like to have [redacted] distribute cards to the guests at the baths. The cards have not been received

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NY File 87-11

SAC Keith secured information to the effect that [redacted] of [redacted] might be a possible source of information relative to the stolen jewelry having been in the vicinity of Second Avenue shortly after it was brought to New York or before it came into possession of Nelson. [redacted] was described as being partner of [redacted] and these two did their major business in bail bonds, with real estate as a side line. [redacted] had made a confession to Postoffice Inspector in a case in which he was a co-defendant with [redacted]

[redacted] Also Scaffa at one time hazarded a guess that the stolen Bell jewelry may have come into Nelson's possession from someone who hangs around Second Avenue.

Assistant U.S. Attorney Seymour Klein furnished Agent [redacted] with a brief sketch of the [redacted] case, and exhibited a photograph of [redacted]

Agent [redacted] in attempting to locate [redacted] made an appointment for an interview with [redacted]. Such appointment was kept by Agents [redacted] and [redacted]. The interview was had during the morning of September 11th at [redacted]

It readily appeared that [redacted] was a shrewd individual and well-versed in the ways and activities of police characters. The opening questions by agents were intended to mislead [redacted] by creating the impression that this [redacted] was familiar with and had business dealings with Scaffa. [redacted] strenuously denied any knowledge of or connection with Scaffa. He described his partner, [redacted] as a forty-two carat dumbbell who was continually being imposed upon by racketeers. [redacted] denied any acquaintance or knowledge of any of the characters involved in this case, with the exception of Frank Costello. He was inclined to speak derogatory of Costello, claiming Costello had [redacted] and [redacted] furnish bail for two characters out in Colorado, who jumped their bail, causing bond forfeitures, which necessitated heavy cash outlays. Costello refused to make good these outlays. [redacted] denied that he was the [redacted] whose name had been previously mentioned in connection with [redacted]

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NY File 87-11

Costello and Al Howard denied that he visited local hotels claiming he was a good family man and that he had a heart condition which made his use of Spanish bad. He finally volunteered the information that the [redacted] in question might be an individual who was nicknamed [redacted]

[redacted] in the Southern District of New York on income tax cases. Also that [redacted] was reported to have been in the adjoining room in the hotel at [redacted]

[redacted] this [redacted] also was reported to have been a fugitive for about two years but had only recently surrendered and was now represented by [redacted]

[redacted] in the interview with Agent [redacted] and [redacted] talked very freely of [redacted] and indicated, from his remarks, that he was one of [redacted] sources of information. He indicated a knowledge of the letter [redacted] had written to [redacted] in Florida, which mentioned an individual as having claimed to have seen the stolen Bell jewelry in New York. The agents factitiously tried to convince [redacted] that his name was mentioned as the party who had seen the jewelry in New York. He strenuously denied such accusations, claiming that [redacted] was too good a friend of his to have mentioned his name, and [redacted] was too discreet to mention the source of information. [redacted] claimed his partner, [redacted] would have no information to help on this case but that he would discreetly approach [redacted] and if any helpful information was obtained, would promptly convey same to these agents.

[redacted] spoke very favorably of the defendant Bob Nelson, saying he had raised \$131,000 in bail bonds for Nelson at the time of Nelson's release on appeal. Claimed he had charged Nelson only the exact premiums required by the surety companies and had not made anything on this courtesy to Nelson. He spoke very favorably of the character of Nelson, particularly that Nelson was a man who would never betray a friend and would always keep his word. [redacted] further stated that he had borrowed money from Nelson which he still owed.

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Mr. Nathan .....  
Mr. Tolson .....  
Mr. Baughman .....  
Chief Clerk .....  
Mr. Clegg .....  
Mr. Coffey .....  
Mr. Edwards .....  
Mr. Egan .....  
Mr. Foxworth .....  
Mr. Harbo .....  
Mr. Joseph .....  
Mr. Keith .....  
Mr. Lester .....  
Mr. Quinn .....  
Mr. Schilder .....  
Mr. Tamm .....  
Mr. Tracy .....  
Miss Gandy .....

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TELETYPE

FBI NEW YORK CITY

10-8-35

6 PM RP

DIRECTOR

PHONE. NOEL C SCAFFA ETAL NSPA - CONSPIRACY - PERJURY.

A SUPERSEDING INDICTMENT NAMING ROBERT C NELSON, NOEL C SCAFFA,

[REDACTED] ALBERT J CONTENTO WA,  
FRANK COSTELLO, CHARLES STEARN WA CHARGING CONSPIRACY TO VIOLATE  
SECTION 415, TITLE 18 USC RETURNED SDNY TODAY

WHITLEY

END

OK FBI WASHINGTON DC GLS

*copy to [unclear]*

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OCT 11 1935

87-30-287	
FEDERAL BUREAU OF INVESTIGATION	
OCT 10 1935 A.M.	
U. S. DEPT. OF JUSTICE	
TAMM	ONE

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RECORDED 87-30-290

November 7, 1935

PERSONAL AND CONFIDENTIAL

Mr. J. M. Keith,  
Federal Bureau of Investigation,  
U. S. Department of Justice,  
808 Medical Arts Building,  
Nashville, Tennessee.

Dear Sir:

RE: MOEL C. SCAFFA, et al,  
NATIONAL STOLEN PROPERTY ACT.

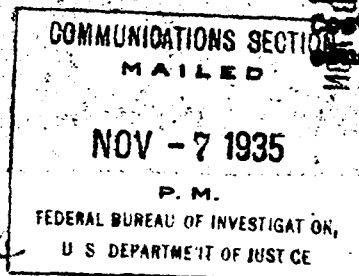
The Bureau is in receipt of a personal and confidential communication from Special Agent in Charge R. Whitley of the New York Office, furnishing information secured from [redacted] reporter for the New York Post, concerning various New York gangsters and racketeers. A portion of the information secured from [redacted] regarding Frank Costello, in connection with the Scaffa case, is quoted below for your information:

[redacted] is the head of the largest crowd in the New York underworld.

"When Frank Costello was arrested in the Bell jewelry case, [redacted] stepped forward to take virtual charge of the defense tactics. I saw him in the law office of [redacted]

After a conference between [redacted] put on bond in the [redacted] case, and others whom the informant did not get a good look at, [redacted] told the informant, in confidence, that Scaffa would name Eelsen and that this maneuver would result in placing Costello farther from the reaches of the conspiracy."

Very truly yours,



John Edgar Hoover,  
Director.

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# Federal Bureau of Investigation

U. S. Department of Justice

Room 1403  
370 Lexington Avenue  
New York, N. Y.

RW:PS

October 23, 1935.

Personal and Confidential

Mr. J. Edgar Hoover,  
Federal Bureau of Investigation,  
U. S. Department of Justice,  
Pennsylvania Avenue at Ninth St., N. W.,  
Washington, D. C.

Dear Mr. Hoover:

There are transmitted herewith, for your information, copies of a typewritten report setting forth information concerning various New York gangsters and racketeers. This report was given to me by [redacted] the New York "Post", who has considerable information concerning the activities of these parties. It will be noted that [redacted] has not said anything in the typewritten report which will, in any way, identify him with it, and he is extremely anxious that the fact that he has furnished this information be treated in strictest confidence. He states that he has additional information regarding the same and other New York racketeers and gangsters, which he expects to write up for me some time in the near future.

Sincerely yours,

*R. Whitley*

R. WHITLEY

Special Agent in Charge

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Kearney [unclear]

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Comm. Conf. letter to [unclear]  
Jill [unclear] at [unclear]  
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C O P Y

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October 20, 1935

This report is made to S.A.C. Rhea Whitley in the strictest confidence and the informant invokes the right to insist that no one else avail himself of the contents except with the expressed permission of Mr. Whitley.....

1--- [REDACTED] the largest crowd in the New York underworld.

2--- Undoubtedly four of his lieutenants are Frank Costello, Charles (Lucky) Luciano, Louis Buchalter, [REDACTED] while his tie-ups take him into most of the independant mobs.

3--- When Frank Costello was arrested in the Bell jewelry case, [REDACTED] stepped forward to take virtual charge of the defense tactics. I saw him in the law office of [REDACTED] After a conference between [REDACTED] out on bond [REDACTED] and others which the informant did not get a good look at, [REDACTED] told the informant, in confidence, that Scaffa would name Nelson and that this manoeuver would result in placing Costello further from the reaches of the conspiracy.

4--- When Thomas E. Dewey seized the pay-off records of Buchalter and [REDACTED] an company with Louis Buchalter were again seen in [REDACTED] office by the informant.

5--- Buchalter, after watching the informant shake hands good naturedly with [REDACTED] and after [REDACTED] had gone into [REDACTED] private office said to the informant:

"Dewey got our records and [REDACTED] is mad enough to kill him."

6--- Previously the informant had been at a bar with Costello and Luciano and heard Luciano ask Costello:

"When will [REDACTED] be back in town? I got some things I want him to Okay."

7--- [REDACTED]  
He has a handsome face. His black hair is silver flecked over the temples and stands out in groomed puffs. I do not yet know his address. He has a [REDACTED] I am told. I have seen the alleged brother and he resembles [REDACTED] and seems younger.

8--- Costello runs the pin and slot games either for [REDACTED] or with [REDACTED] strong backing. Costello also is in the liquor business and owns an unknown number of gambling houses, either in his own right or as front for [REDACTED]

9--- Costello told me several days after Senator Long's murder:

87-30-270

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"We sent [redacted] down to New Orleans to take over the slots and liquor which we paid Long to let us control. How could we know that damned dentist would kill Long? [redacted] is still down there. [redacted] is a right guy."

10-- [redacted] one of the Fresh Water Fish Boys told me that [redacted] is the "brainiest" man he ever knew and Joseph "Socks" Lanza of the same group was seen by the informant talking to [redacted] in the lobby of the Delmonico Hotel. Together they went up in an elevator to an unknown room, perhaps to join others. But the informant does not know positively that [redacted] dominates this racket. [redacted] assigned [redacted] to defend this crowd, the titular head of which is [redacted] when recently they went on trial for violating the anti-trust law. The jury disagreed. The trial starts again today. Other lawyers whom [redacted] assigns to cases are [redacted] and [redacted] perhaps his name is [redacted]. But as stated I do not know of my own mind that [redacted] owns this racket.

11---Luciano runs the Italian policy game for [redacted] or with [redacted]. He also runs a number of gambling houses in Manhattan, Yonkers and New Jersey. I have been told by Pepper (no other name known to me) Luciano's body guard that Luciano has made a treaty with the Longies which permits the latter to operate in Manhattan. Luciano, like Costello, has a race book.

12-- [redacted] told the informant that [redacted] who run the poultry racket are swell fellows and he said it quietly, like he meant it. I have not been able to follow through on that hint.

13---Almost without a doubt, [redacted] late of Adams' staff is the crowd's representative on the staff of Dewey. [redacted] said it would be a blessing if Dewey rid the town of Dutch Schultz.

14--- Dutch Schultz refused to talk with me about either Costello or Luciano and frowned when I mentioned their names.

15---At the present writing [redacted] seems to have broken with Schultz, like Costello did before him. [redacted] may be the big independent in New York. This is subject to more checking.

16---I get the impression that [redacted] is a Dutch Schultz man, perhaps the Dutchman's strongest lieutenant. I have not yet checked on this. The Dutch Schultz mob is supposed to hang out in a small room near the kitchen of the Cedarbrook Grill, 85th Street and Columbus and also at Dave's Blue Room, owned reputedly by [redacted] a Schultz man.

17-- [redacted] is the Schultz [redacted]. He lends the Dutchman's money. [redacted] is reported to have recently been seen much in the company of [redacted] and [redacted] are believed by [redacted] to have killed Amberg and Kessler.

This report will be amended later.

67C

*Jamm*

Room 1403  
370 Lexington Avenue  
New York, N. Y.

EW:PS  
87-11

November 4, 1935

*W*  
*W*  
Special Agent in Charge,  
Washington, D. C.

Re: NICHOLAS MONTONE with aliases;  
BOB CO SCAFFA, ET AL;  
National Stolen Property Act  
Conspiracy

Dear Sir:

For your information, in connection with the above captioned case, you are advised that during a recent conversation with Special Agent W. S. Devereaux had with a prisoner named CUMMINGS, who was released from the Federal House of Detention on November 1, 1935, during the conversation Cummings informed Agent Devereaux that Noel Scaffa and Bob Nelson, Subjects in the above captioned case, are on quite friendly terms and that Scaffa has told Nelson that in the forthcoming trial he, Scaffa, would not hurt Nelson with his testimony.

Very truly yours,

E. WHITLEY  
Special Agent in Charge

Mr. Tolson	_____
Mr. Clegg	_____
Mr. Coffey	_____
Mr. Edwards	_____
Mr. Egan	_____
Mr. Foxworth	_____
Mr. Glavin	_____
Mr. Joseph	_____
Mr. Keith	_____
Mr. Lester	_____
Mr. Quinn	_____
Mr. Tamm	_____
Mr. Tracy	_____
Miss Gandy	_____

NOV 11 1935  
RECEIVED  
U.S. DEPT. OF JUSTICE  
U.S. BUREAU OF INVESTIGATION  
WASHINGTON, D.C.

87-30  
FEDERAL BUREAU OF INVESTIGATION  
NOV 5 1935 A.M.  
U. S. DEPARTMENT OF JUSTICE  
*W*

b7C

808 Medical Arts Bldg.,  
Nashville, Tennessee,  
November 6, 1935.

PERSONAL AND CONFIDENTIAL

JMK:MC

Director,  
Federal Bureau of Investigation,  
U. S. Department of Justice,  
Pennsylvania Avenue at 9th St.,  
Washington, D. C.

Dear Sir:

Please refer to your letter of October 1 addressed to me at New York City concerning the request received by you from Mr. Isaac McAnally of the New York Post for permission to write an article on my publication in Collier's magazine. In your letter you inform me that Mr. McAnally had been instructed to consult me about this matter.

For your information, I saw McAnally before I left New York and told him that I did not desire to be written up, even in a "good magazine". He is quite friendly with me, and he took my instructions to the effect that under no circumstances would I consent to such a proposition in the proper manner.

I feel certain that you will hear nothing further of this matter, and believe that McAnally's request was only a friendly gesture. He seemed to greatly like the results accomplished by the Bureau in the Scarfa case.

Very truly yours,

J. M. KEITH.

RECORDED  
&  
INDEXED

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07-11
FEDERAL BUREAU OF INVESTIGATION
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XXXXXXFEDERAL BUREAU OF INVESTIGATION  
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COPY

December 12, 1935.

The Honorable Joseph Canavan,  
Commissioner of Parole,  
State of New York,  
80 Centre Street,  
New York City.

In re: Robert C. Nelson

SIR:

On or about August 30, 1935, Special Agents of the Bureau of Investigation of the Department of Justice arrested the defendant above named in the Southern District of New York. Subsequent thereto, he was arraigned before United States Commissioner Garrett Cotter on a complaint charging him with transporting and causing to be transported in interstate commerce approximately \$185,000 worth of jewelry which had been stolen from Mrs. Margaret Hawkesworth Bell during the month of January 1935 in Coral Gables, Florida, knowing the same to have been stolen. He was committed to the United States House of Detention in default of \$5,000 bail.

b7C  
On October 8, 1935, the defendant was indicted together with [redacted] Albert J. Contente, Frank Costello, Charles Stern and Neil C. Scarfa charged with the above-mentioned crime. I have been informed that at the time of the defendant's incarceration your Board filed a warrant with the Superintendent of the United States Detention Headquarters in New York City based on a possible parole violation arising out of a State court conviction of this defendant. This detainer has, of course, precluded the defendant from giving bail on the indictment pending in this court.

As you probably are aware, the facts in connection with this prosecution are complex and involved and have necessitated a tremendous amount of investigative work on the part of agents of the Bureau of Investigation.

COPIES DESTROYED

245 SEP 19 1966

87-30-304

This investigation has not been completed. I am desirous of trying these defendants at the same time and do not wish to try the defendant Nelson separately. He has been incarcerated continuously since the date of his arrest and his attorney has been exerting pressure upon this court to order his immediate trial.

I do not wish to be forced into any such position. I have discussed this situation with one of your officers, Mr. Auerbach, in an effort to complete arrangements whereby the defendant could be turned over to you for such action as you deemed appropriate with respect to his alleged parole violation, having, of course, in mind the filing of a detainer with the Warden of whatever jail he would be committed in. Your representative has informed me that this plan does not meet with your approval. The only way I can see out of this difficulty is to allow the defendant's release on bail. This could be accomplished by the withdrawal of your detainer.

In the event of the defendant's release on bail, no pressure could be exerted upon me to prosecute this case and I would then be in a position to wait until such time as the investigation was completed and facts developed which would insure a conviction. Accordingly, I suggest that you withdraw your detainer thereby enabling me to carry out my plans as outlined above.

I feel that this is a case of great public importance and no stone should be left unturned to eliminate from society those persons responsible for the transportation in interstate commerce of this jewelry. As outlined above, I hesitate to proceed until such time as I am in a position to accomplish this purpose.

Respectfully,

LAMAR HARDY,  
United States Attorney.



COPY

Address Reply to  
"United States Attorney"  
And Refer to

Department of Justice

Initials and Number

United States Attorney's Office

JHC:MKK

New York

December 16, 1935.

Rhea Whitley, Esq.,  
Special Agent in Charge,  
Bureau of Investigation,  
370 Lexington Avenue,  
New York City.

SIR:

RE: Robert C. Nelson

Enclosed herewith is a copy of a communication transmitted to the Commissioner of the New York State Board of Parole in regard to the above matter. No comment is necessary, the letter being self-explanatory.

Respectfully,

(Sg) Lamar Hardy

LAMAR HARDY,  
United States Attorney.

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**SECRET**

**THIS CASE ORIGINATED AT**

**JACKSONVILLE, FLA.**

KEY. FILE NO. 87-11 IS

**STOLEN PROPERTY**



Report of Special Agent in Charge  
Office of the Attorney General, New York City, 1-10-38

R. M. Whitley swr

**BUREAU OF INVESTIGATION**

**CHINA**

**JAN 8 - A.M.**

**JAN 13**  
- LACKED -

2 - Bureau  
2 - Jacksonville 243  
4 - New York (1-USA, SDNY)

DEPARTMENT OF JUSTICE

**ROUTED TO**

54R

b7C

of New York, reflected the following:

10-8-35 -- Superseding indictment filed against defendants SCAFFA, CONTENTO, [REDACTED] COSTELLO, [REDACTED] and ROBERT C. NELSON.

10-15-35 -- Defendants SCAFFA, NELSON, CONTENTO, [REDACTED] COSTELLO and STERN pleaded not guilty until 12-12-35, to change pleas and file demurrers, etc.

Bail as to SCAFFA weighed on superseding indictment (on account of being confined in Federal Detention Home, New York City, where serving perjury sentence). COSTELLO was paroled in custody of [REDACTED] and CONTENTO [REDACTED] and STERN paroled in custody of [REDACTED]. Bail for NELSON was fixed at \$5,000.

11-12-35 -- Case called and set over until 12-16-35, at request of Government.

12-16-35 -- Case called and set over until 1-13-36, at request of Government.

12-29-35 -- Bail for NELSON was reduced from \$5,000 to \$2,500 by Federal Judge ALFRED C. COXE.

12-28-35 -- NELSON released on \$2,500 bail, of which \$1,200 was in Treasury bonds, and \$1,300 in cash. His surety was [REDACTED].

[REDACTED] Address of NELSON was given as 2351 East 19th Street, Brooklyn, N. Y.

Docket #C97-72 covers the perjury case against SCAFFA. Same reflects that SCAFFA surrendered on September 30, 1935 to the United States Marshal and, on that date, started serving his six months' sentence at the Federal House of Detention.

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**CLASS OF SERVICE DESIRED**

DOMESTIC	FOREIGN
TELEGRAM	FULL RATE CABLE
DAY LETTER	DEFERRED CABLE
NIGHT MESSAGE	NIGHT CABLE
NIGHT LETTER	LETTER
SHIP RADIOGRAM	RADIOGRAM

Patrons should check class of service desired, otherwise message will be transmitted as a full-rate communication

# Postal Telegraph

THE INTERNATIONAL SYSTEM

Commercial Cables

Mackay



All America Cables

Radio

which are hereby agreed to

Jacksonville, Florida

2-10-36

STANDARD TIME

Send the following message, subject to the terms on back hereof,

RE: NOEL SCAFFA, et al  
MSPA

J. M. KEITH  
FBI US DEPT OF JUSTICE  
370 LEXINGTON AVENUE ROOM 1405  
NEW YORK CITY NY

UNABLE OBTAIN ANY INFORMATION REGARDING PRESENCE IN MIAMI OR VICINITY OF  
FRANK COSTELLO OR OTHERS MENTIONED YOUR TELEPHONE CALL FEBRUARY FIFTH STOP  
ALL SOURCES INFORMATION CHECKED WITHOUT RESULTS

NATHAN

REM:MFS  
cc - Bureau ✓

OFFICIAL BUSINESS  
GOVERNMENT RATE  
Chg. F. B. I., U. S. Dept of Justice  
JACKSONVILLE, FLORIDA

87-30

FEDERAL BUREAU OF INVESTIGATION

FEB 12 1936 A.M.

U. S. DEPARTMENT OF JUSTICE

ONE

**TRANSMITS AND DELIVERS THE WITHIN MESSAGE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:**

3. Domestic messages and incoming cable messages will be delivered free within one-half mile of the Company's office in towns of 5,000 population or less, and within one mile of such office in other cities or towns. Beyond these limits the Company does not undertake to make delivery, but will, without liability, at the sender's request as his agent and at his expense, endeavor to contract for him for such delivery at a reasonable price.

4. No responsibility attaches to this Company concerning messages until the same are accepted at one of its transmitting offices; and if a message is sent to such office by one of the Company's messengers, he acts for that purpose as the agent of the sender.

5. The Company shall not be liable for damages or statutory penalties in any case where the claim is not presented in writing within sixty days after the message is filed with the Company for transmission.

6. It is agreed that prompt and correct transmission and delivery of this message shall be presumed in any action for recovery of tolls thereon; subject, however, to rebuttal by competent evidence.

7. Special terms governing the transmission of messages under the classes of messages enumerated below shall apply to messages in each of such respective classes in addition to all foregoing terms.

8. NO EMPLOYEE OF THIS COMPANY IS AUTHORIZED TO VARY THE FOREGOING.

# POSTAL TELEGRAPH-CABLE COMPANY

CLARENCE H. MACKAY, CHAIRMAN OF THE BOARD

**A. H. GRISWOLD, EXECUTIVE VICE-PRESIDENT**

### CLASSES OF SERVICE

**SPECIAL TERMS APPLYING TO NIGHT LETTERS.** In further consideration of the reduced rate for this special "Night Letter" service, the following special terms in addition to those enumerated above are hereby agreed to:

(an) Night Letter may, at the option of the Telegraph Company be mailed at destination, to any address, and the Company shall be deemed to have discharged its obligation in such cases with respect to delivery by mailing such Night Letter at destination, postpaid.

**CABLE MESSAGES**

ALL RATE MESSAGE RECEIVED and prompt service in their order of filing

**DEFERRED RATE MESSAGES**—Half of the full rate to follow full rate message. Must be in plain language or code of origin, or of destination, or in French. Particulars to be furnished where the class of service is effective will be furnished upon application to any local post office.

NIGHT CABLE LETTERS. (1) **Rate.** Must be in plain language of country origin, or of destination, if French were transmitted by telegraph to destination. Subordinated to the priority of transmission of full and deferred rate messages. May be posted, when sender so directs, to countries where this service is not available. (2) **Routing.** Messages to countries from which such messages are posted. Under latter circumstances messages must contain complete mailing address including chargeable point of origin. (3) **Form.** Same as "Post London," etc. Minimum word value of twenty to twenty-five words applied. (4) **Code addresses** may be used except for messages delivered by post. Figure explained by text admitted. Indicator "NET" required and charged for as one word. For further particulars apply at any Postal Telegraph office.

**WEEK END CABLE LETTERS** at exceptionally low rates. Accepted under conditions applicable to Night Cable Letters, excepting that **Week-End Cable Letters** will be accepted during the week up to midnight Saturday for telegraphic delivery on the following Monday morning. Indicator "W.L.T." required and charged for as one word. For further particulars apply at any Postal Telegraph office.

NO EMPLOYEE OF THIS COMPANY IS AUTHORIZED TO VARY THE FOREGOING



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J. Edgar Hoover  
DIRECTOR

EAT:CDW

Federal Bureau of Investigation

U. S. Department of Justice

Washington, D. C.

June 5, 1936.

Time - 2:55 P.M.

MEMORANDUM FOR THE DIRECTOR

Re: [REDACTED]  
Miami-Biltmore Jewel Robbery;  
National Stolen Property Act.

During a telephonic conversation which I had with Mr. Keith in New York City, he mentioned the above entitled case, with which you are familiar. He said that he happened to see [REDACTED]

[REDACTED] also advised [REDACTED] that the money which has been coming from Frank Costello has been stopped, and it appears that [REDACTED] suggested to Mr. Keith that [REDACTED]

Mr. Keith recalled that some time ago, he sent [REDACTED]

On the other hand, the possibility of his getting something of value remains, and cannot be entirely overlooked. I suggested to Mr. Keith that it might be well for him to personally go down there and interview this man, and if he fails to get anything, we could consider [REDACTED]. Mr. Keith is of the opinion this would possibly be a good idea, but the matter of his getting away to go down there is another question and one which cannot be decided upon at this time.

At any rate [REDACTED]

It will be kept in mind, however, and considered again when the opportunity for Mr. Keith to go down to Florida presents itself.

RECORDED

Respectfully

INDEXED

E. A. TAMM

87-30-320  
FEDERAL BUREAU OF INVESTIGATION

JUN 11 1936  
E. A. TAMM  
U. S. DEPARTMENT OF JUSTICE

- Mr. [REDACTED]
- Mr. [REDACTED]
- Mr. [REDACTED]
- Chief Clerk [REDACTED]
- Mr. Clegg [REDACTED]
- Mr. Coffey [REDACTED]
- Mr. Edwards [REDACTED]
- Mr. Egan [REDACTED]
- Mr. Foxworth [REDACTED]
- Mr. Harbo [REDACTED]
- Mr. Joseph [REDACTED]
- Mr. Keith [REDACTED]
- Mr. Lester [REDACTED]
- Mr. Quinn [REDACTED]
- Mr. Schilder [REDACTED]
- Mr. Tamm [REDACTED]
- Mr. Tracy [REDACTED]
- Miss Gandy [REDACTED]

DE-INDEXED  
DATE: 6-17-57  
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**FEDERAL BUREAU OF INVESTIGATION**  
**FREEDOM OF INFORMATION/PRIVACY ACTS SECTION**

**SUBJECT: FRANK COSTELLO**  
**FILE NUMBER: 87-30 SECTION 6**

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JOHN EDGAR HOOVER  
DIRECTOR

Federal Bureau of Investigation

U. S. Department of Justice

Washington, D. C.

EAT:TMF

July 24, 1936

MEMORANDUM FOR THE DIRECTOR

With reference to your memorandum addressed to me under date of July 6, 1936, concerning the status of prosecution relative to Noel Scaffa, you are advised that but a single indictment is at the present time outstanding against Scaffa, this indictment having been returned on October 8, 1935 in the Southern District of New York, charging Scaffa, together with [REDACTED]

[REDACTED] Albert J. Contento, Frank Costello and Charles Alvin Stern with conspiring to and unlawfully causing the transportation in interstate commerce from Dade County, Florida to New York City of stolen jewelry valued at \$185,500.00. I have talked to Mr. Keith about this situation and he stated that Scaffa has given us a great deal of valuable assistance in this and other cases and that he doubts the sufficiency of the evidence available against Scaffa to bring about a conviction. I instructed Mr. Keith to discuss the facts with reference to Scaffa with the Assistant United States Attorney handling this case and then to advise the Bureau of the attitude of the United States Attorney towards prosecution.

Respectfully,

E. A. Tamm

Follow this up.

J. A. X.

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JUL 28 1936

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87-30-326	
FEDERAL BUREAU OF INVESTIGATION	
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U. S. DEPT. OF JUSTICE	FILE
TAMM	ONE

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Mr. Nathan	.....
Mr. Tolson	.....
Mr. Baughman	.....
Mr. Clegg	.....
Mr. Coffey	.....
Mr. Dawsey	.....
Mr. Edwards	.....
Mr. Egan	.....
Mr. Foxworth	.....
Mr. Glavin	.....
Mr. Harbo	.....
Mr. Joseph	.....
Mr. Lester	.....
Mr. Nichols	.....
Mr. Quinn	.....
Mr. Schilder	.....
Mr. Tamm	.....
Mr. Tracy	.....
Miss Gandy	.....

Federal Bureau of Investigation

U. S. Department of Justice

Washington, D. C.

EAS:LL  
87-30

July 22, 1936

b7C

MEMORANDUM FOR MR. TAMM

Re: NOEL C. SCAFFA, ET AL;   
MRS. MARGARET HANKSWORTH CONTENT -  
VICTIM.  
National Stolen Property Act;  
Conspiracy.

On June 7, 1935, the Federal Grand Jury, Southern District of New York, returned an indictment containing two counts. The first count charged the defendants, Noel C. Scaffa, [REDACTED], Albert J. Contento, Frank Costello, and Charles Alvin Stern, with unlawful transportation and causing the transportation in interstate commerce from Dade County, Florida, to New York City, stolen jewelry valued at \$185,500.00. The second count charged a conspiracy on the part of the above named defendants for the unlawful purpose of transporting the stolen jewelry from Miami, Florida, to New York City, enumerating nine overt acts.

A report received from the New York City Office under date of January 6, 1936, indicates that a superseding indictment had been filed on October 8, 1935, which was the same as the indictment above referred to with the sole exception that it had been changed to include the name of Robert C. Nelson.

A letter was directed to the Jacksonville Bureau Office concerning [REDACTED] and [REDACTED] and a reply was received under date of June 30, 1936, advising that an inquiry at the Office of the Clerk of the Supreme Court of Florida, Tallahassee, indicates that the appeal of [REDACTED] and [REDACTED] had not as yet been heard, for the reason that the case has not been submitted on briefs.

RECORDED

Respectfully,

87-30-326

FEDERAL BUREAU OF INVESTIGATION

JUL 28 1936 P. M.

E. A. Soucy.

TAMM

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**Federal Bureau of Investigation**

**U. S. Department of Justice**

607 U. S. Court House  
Foley Square  
New York, N. Y.

JMK:EL  
87-11

August 6, 1936.

Director,  
Federal Bureau of Investigation,  
Washington, D. C.

Re: [REDACTED]  
et al. National Stolen Property Act.

Dear Sir:

Pursuant to telephonic information received from Mr. Tolson of the Bureau, I have had several conferences while in New York City with [REDACTED]

[REDACTED] informed me that [REDACTED]  
and that [REDACTED]

[REDACTED] desired my intervention with the State authorities of Florida in an effort to bring about the transfer of [REDACTED] from this prison camp to the headquarters of the Florida State Penitentiary at Raiford, Fla. She explained that [REDACTED] complained to her during the recent visit that his right wrist was broken in an accident, was not properly set, and it needs to be broken again and reset in order to remedy the condition.

I informed [REDACTED] that I felt under no obligation whatever to [REDACTED] that I had on many occasions interviewed him in Florida for the purpose of persuading him to tell the truth about the complicity of Al Howard, Frank Costello and others in the robbery and subsequent transportation of the jewelry which he and [REDACTED] took from Mr. and Mrs. Content. I informed her that if she could in any way use her influence to persuade [REDACTED] to tell the truth, I might then feel under sufficient obligation to attempt to bring about the desired transfer, but that until he made up his mind to cooperate with

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EAT:THF

August 13, 1936

**PERSONAL AND CONFIDENTIAL**

Mr. Rhea Whitley,  
Federal Bureau of Investigation,  
U. S. Department of Justice,  
607 U. S. Court House, Foley Square,  
New York, New York.

Dear Mr. Whitley:

During the time that Mr. Keith was handling as a special assignment the investigation of the case involving the theft of securities from the Bank of Manhattan, he was instructed to maintain contact with the United States Attorney's office for the purpose of determining what disposition would be made of the present charges pending against Noel Scaffa in the case entitled NOEL SCAFFA, Frank Costello, et al, National Stolen Property Act.

I am anxious to determine at the earliest possible date what disposition the United States Attorney contemplates making in connection with this case and desire, consequently, that you maintain appropriate contact with the United States Attorney's Office so that I may be promptly notified when some determination is reached as to the disposition that will be made of this charge.

Very truly yours,

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INDEXED

John Edgar Hoover,  
Director.

COMMUNICATIONS SECTION
MAILED
AUG 13 1936

87-30-331
FEDERAL BUREAU OF INVESTIGATION
AUG 14 1936 P.M.
U.S. DEPARTMENT OF JUSTICE
FILE

Mr. Nathan .....  
Mr. Tolson .....  
Mr. Baughman .....  
Mr. Clegg .....  
Mr. Coffey .....  
Mr. Davary .....  
Mr. Edwards .....  
Mr. Egan .....  
Mr. Foxworth .....  
Mr. Glavin .....  
Mr. Harbo .....  
Mr. Joseph .....  
Mr. Lester .....  
Mr. Nichols .....  
Mr. Quinn .....  
Mr. Schilder .....  
Mr. Tamm .....  
Mr. Tracy .....  
Miss Gandy .....

Bank of Manhattan  
\* New York City  
Ed. J. ...

*W. J. ...*

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607 U. S. Court House  
Foley Square  
New York, N. Y.

WSD:KL  
67-11

January 6, 1937.

Mr. Lamar Hardy,  
United States Attorney,  
U. S. Court House,  
Foley Square,  
New York, N. Y.

Re: NOEL C. SCAFFA, et al. O  
MRS. MARGARET HAWKSWORTH CONTENT - Victim.  
NATIONAL STOLEN PROPERTY ACT.

Dear Sir:

This will acknowledge receipt of your letter dated December 29, 1936, in connection with your file 73187, entitled "United States of America v. [REDACTED]"

[REDACTED] Albert J. Contento, Frank Costello, Charles Stern, Noel C. Scaffa and Robert C. Nelson", wherein you wish to be informed as to investigative developments in the instant case.

In connection therewith, I wish to advise you that there have been no further investigative developments in connection with the instant case.

Very truly yours,

R. WHITLEY,  
Special Agent in Charge.

cc: Bureau

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Federal Bureau of Investigation  
United States Department of Justice

607 U. S. Court House  
Foley Square  
New York, N. Y.

WSD:EL  
87-11

February 1, 1937

Mr. Nathan .....  
Mr. Tolson .....  
Mr. Baughman .....  
Mr. Clegg .....  
Mr. Coffey .....  
Mr. Dawsey .....  
Mr. Egan .....  
Mr. Foxworth .....  
Mr. Glavin .....  
Mr. Harbo .....  
Mr. Joseph .....  
Mr. Lester .....  
Mr. Nichols .....  
Mr. Quinn .....  
Mr. Schilder .....  
Mr. Tamm .....  
Mr. Tracy .....  
Miss Gandy .....

PERSONAL AND CONFIDENTIAL

Director,  
Federal Bureau of Investigation,  
Washington, D. C.

Re: NOEL CHARLES SCAFFA, et al.  
MRS. MARGARET HAWKSWORTH CONTENT - Victim.  
NATIONAL STOLEN PROPERTY ACT. CONSPIRACY.

Dear Sir:

This will advise you that under date of December 29, 1936, there was received by this office a communication from the U. S. Attorney's office, Southern District of New York, wherein they state that that office intends to close the entire case of "United States of America. v. [REDACTED]"

[REDACTED] Albert J. Contento, Frank Costello, Charles Stern, Noel C. Scaffa and Robert C. Nelson" by filing a nolle prosequi for all of the defendants on both indictments.

Subsequent to the receipt of this letter, contact has been maintained with the U. S. Attorney's office, but thus far there has been no further action taken. The U. S. Attorney's office has been requested to immediately notify this division in the event further action is taken by the Department in Washington or in the event that further action is taken on the part of the U. S. Attorney's office, Southern District of New York.

Very truly yours,

*R. Whitley*  
R. WHITLEY,  
Special Agent in Charge.

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FEDERAL BUREAU OF INVESTIGATION

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b7C  
JOHN M. KEITH  
ROOM 520  
3701 N. Broad Street,  
Philadelphia, Penna.

March 1, 1937.

Mr. J. Edgar Hoover, Director,  
Federal Bureau of Investigation,  
U. S. Department of Justice,  
Pennsylvania Ave. at 9th Street,  
Washington, D. C.

Dear Sir:

IN RE: [REDACTED]

ALBERT J. CONTENTO, alias  
AL HOWARD; FRANK COSTELLO; CHARLES  
STERN, alias, "BROADWAY CHARLIE";  
NOEL C. SCAFFA, et al.

NATIONAL STOLEN PROPERTY ACT.

Pursuant to your request received by  
telephone from Mr. Foxworth of the Bureau, I proceeded to  
Florida for the purpose of interviewing [REDACTED]

[REDACTED] on evidence collected by the  
Bureau for the robbery armed of Harry Content and Margaret  
Hawkesworth Bell of jewelry valued at approximately \$250,000  
at the Miami Biltmore Hotel, Coral Gables, Florida, January  
26, 1935.

This action was taken because of Mr.  
Foxworth's statement that [REDACTED] had sent word through [REDACTED]  
[REDACTED] of his desire to make a statement in this case  
and had indicated that he would not talk with anyone but me.

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MR. J. EDGAR HOOVER. 5.

on the street in Miami Beach which passes in front of the Hotel Fleetwood, the residence being located near a golf course. [REDACTED] stated that the house was pointed out to him on one occasion by [REDACTED]. Later at Hialeah race track, [REDACTED] and [REDACTED] told him about Mr. Content and Mrs. Bell, explaining that the Bell woman possessed and habitually wore jewelry of great value, and that they had decided to rob her first in view of the fact that the victims were not expected to remain in Miami very long. [REDACTED] declared that while [REDACTED] waited at the tracks, [REDACTED] then took him to the clubhouse grandstand where he pointed out Mrs. Bell and Mr. Content. [REDACTED] then saw the large diamond rings, diamond bracelets and pearls which Mrs. Bell was wearing. [REDACTED] claims that he had never seen the victims before in his life, but that he was told by [REDACTED] that "they" had tried to get this jewelry before at Saratoga but had never been able to "case the job" properly. [REDACTED] then explained to [REDACTED] that if he would assist in this robbery, the price received from the loot would be split four ways, between himself, [REDACTED] and Al Howard. [REDACTED] claims that he never talked with Al Howard about this robbery, and that he knows of Howard's interest in it only through what was told him by [REDACTED] and [REDACTED]. [REDACTED] claims that he does not know Frank Costello, although [REDACTED] frequently referred to the latter as a close friend and his backer. [REDACTED] claims that he never saw Broadway Charlie Stern until he was introduced to the latter in the Court room at Miami at a time when he was first arraigned by County Prosecutor Fred Pine and his assistant, Jack Kehoe. He also denied that he knows Noel C. Scaffa or they had ever any dealings with Scaffa.

According to [REDACTED] seemed to be in command and to be the one giving the orders as to what should be done. [REDACTED] instructed him and [REDACTED] to follow the Bell-Content party in order to locate their rooms and make appropriate plans to rob them. [REDACTED] claims that [REDACTED] had

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**Federal Bureau of Investigation**

**United States Department of Justice**

**607 U. S. Court House**

**Foley Square**

**New York, N. Y.,**

87-11

RW:PS

March 13, 1937.

**PERSONAL AND CONFIDENTIAL**

Mr. J. Edgar Hoover,  
Federal Bureau of Investigation,  
Washington, D. C.

Re: NOEL CHARLES SCAFFA, ET AL.  
MRS. MARGARET HAWKSWORTH CONTENT - Victim  
National Stolen Property Act

Dear Mr. Hoover:

Reference is made to your letter of March 10, 1937 (87-30), relative to the status of the above captioned case.

I have today conferred with Chief Assistant U. S. Attorney John F. Dailey and Assistant U. S. Attorney Frank Noonan, in charge of the Criminal Division, Southern District of New York, with reference to this case. I advised Mr. Dailey and Mr. Noonan concerning the information furnished former Agent in Charge J. M. Keith and Special Agent [redacted] of the Miami division by Subject [redacted] as set forth in Mr. Keith's letter dated March 1, 1937, at Philadelphia, Pa. Mr. Dailey and Mr. Noonan stated that they did not believe the information furnished by [redacted] has any bearing upon, or in any way affects or changes, the status of the prosecution insofar as Subjects Frank Costello, Charlie Stern, Robert Nelson and Noel Scaffa are concerned; that they still do not believe that the indictment against these individuals can be successfully prosecuted; that [redacted] information does appear, however, to strengthen the case against Subjects [redacted] and that with the testimony of [redacted] it might be possible to successfully prosecute these individuals for conspiracy to violate the National Stolen Property Act. Messrs. Dailey and Noonan requested that they be furnished with a report setting out in detail the information furnished by [redacted] to Mr. Keith and that upon receipt of this report they will decide definitely what prosecutive action, if any, will be taken and against whom.

The report in question is being prepared and will be furnished to the U. S. Attorney's office immediately.

I will keep in touch with Assistant U. S. Attorneys Dailey and Noonan with reference to this matter and will keep the Bureau advised concerning developments.

RECORDED & INDEXED

87-30-355

Very truly yours,

R. WHITLEY

Special Agent in Charge

Mr. Nathan .....  
Mr. Tolson .....  
Mr. Baughman .....  
Mr. Clegg .....  
Mr. Coffey .....  
Mr. Dawsey .....  
Mr. Egan .....  
Mr. Foxworth .....  
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67C

also were going to Florida as was their annual custom. He knew that they had been employed in Saratoga and previously in Miami Beach by Al Howard in the latter's gambling rooms at the various clubs conducted by him. further stated that upon arrival in Florida, he procured a room in Miami where he lived in adultery for a time with a woman whom he had picked upon the road near Palm Beach and who was used as a witness against him at Miami. He claims that he first met in Miami at Hialeah race track. They told him they were stopping at the Fleetwood Hotel; that they were broke; and that Al Howard was paying their bills. claims that he let have a little money, and that told him they had a "job" lined up and wanted him in on it. According to claimed they could make some quick money and it would be safe. During the course of conversations with them, he learned they had planned to rob a man and woman whose names were not revealed to him but who lived on the street in Miami Beach which passes in front of the Hotel Fleetwood, the residence being located near a golf course. stated that the house was pointed out to him on one occasion by. Later at Hialeah race track, told him about Mr. Content and Mrs. Bell, explaining that the Bell woman possessed and habitually wore jewelry of great value, and that they had decided to rob her first in view of the fact that the victims were not expected to remain in Miami very long. declared that while waited at the tracks, then took him to the clubhouse grandstand where he pointed out Mrs. Bell and Mr. Content. then saw the large diamond rings, diamond bracelets and pearls which Mrs. Bell was wearing. claims that he had never seen the victims before in his life, but that he was told by that "they" had tried to get this jewelry before at Saratoga but had never been able to "case the job" properly. then explained to that if he would assist in this robbery, the price received from the loot would be split four ways between himself, and Al Howard. claims that he never talked with Al Howard about this robbery, and that he knows of Howard's interest in it only through what was told him by. claims that he does not know Frank Costello, although

U 67C

[redacted] frequently referred to the latter as a close friend and his backer. [redacted] claims that he never saw Broadway Charlie Stern until he was introduced to the latter in the Court room at Miami at a time when he was first arraigned by County Prosecutor Fred Pine and his assistant, Jack Kehoe. He also denied that he knows Noel C. Scalfa or they had ever any dealings with Scalfa.

According to [redacted] seemed to be in command and to be the one giving the orders as to what should be done. [redacted] instructed him and [redacted] to follow the Bell-Content party in order to locate their rooms and make appropriate plans to rob them. [redacted] claims that [redacted] had a nickel plated five shot revolver of some kind and that he possessed a .25 caliber automatic pistol. [redacted] further stated that on several occasions during the period of about one week prior to the robbery, he and [redacted] shadowed Content and Bell observing their habits and customs after leaving the race track determining that they occupied a suite of rooms at the Hotel Miami Biltmore, the livingroom entrance to which, according to [redacted] present memory, was room number 448. He stated that he and [redacted] observed that Mrs. Bell and Mr. Content with their party, which included [redacted] and a third man unknown to [redacted] usually stopped in the cocktail lounge of the Miami Biltmore upon returning from the tracks; that after a few highballs, the party then went to their rooms to change for dinner. [redacted] stated that on the night previous to the robbery, the Bell-Content party had dinner at Al Howard's Embassy Club in Miami, where he and [redacted] observed them. [redacted] stated that on one occasion he and [redacted] followed the couple in [redacted] car, and on another occasion in [redacted] packard; that a day or two before the actual robbery, he and [redacted] were ready but gave it up at the last moment because of the presence of Mr. Content's valet, and [redacted]

On the afternoon of the robbery, Cali stated that he and Montone proceeded to the Hotel Miami Biltmore from Hialeah in their respective cars; that they had talked with [redacted] at the tracks, and it had been agreed that [redacted] would proceed to the Hotel Fleetwood where he would stand by at the tele-

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being in charge of the Criminal Division, Southern District of New York. Messrs. DAILEY and NOONAN requested that they be furnished with a report setting out in detail the information furnished by [REDACTED] and that upon receipt of such report a decision will be reached as to what prosecutive action, if any, will be taken, and against whom.

UNDEVELOPED LEADS:MIAMI DIVISION

Will interview [REDACTED]

If [REDACTED] will furnish information, particularly inquire as to the implication of [REDACTED] ALBERT J. CONTENTO alias Al Howard, FRANK COSTELLO and CHARLES STERN alias Broadway Charlie.

Definite information should be sought as to whom, and how, [REDACTED] and as to who was responsible for its transportation to New York City.

NEW YORK DIVISION AT NEW YORK CITY

Will maintain contact with Assistant U. S. Attorneys DAILEY and NOONAN for results of their consideration as to prosecutive action.

P E N D I N G



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FBI/DOJ

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Room 607,  
W. S. Court House,  
Foley Square,  
New York, N. Y.

April 3, 1937

MEMO  
87-11

MEMORANDUM FOR THE SPECIAL AGENT IN CHARGE:

RE: NOEL C. SCAFFA, et al  
NATIONAL STOLEN PROPERTY ACT

On March 30, 1937 the following information was furnished by [redacted] which he claimed to receive from J. [redacted] Attorney.

A separate memorandum is being submitted in file 87-42 concerning other information allegedly obtained by [redacted] hereinafter referred to as [redacted] regarding [redacted] and [redacted] associated with [redacted] RUTCH SCHULTZ and now [redacted] It is also mentioned in the other memorandum that [redacted] and [redacted] contemplate opening a joint law office at 70 Pine Street, New York City.

[redacted] claims the discussion of instant case occurred when they were both exchanging stories. [redacted] said it was a story that he did not know [redacted] was then interested in [redacted] as he, [redacted] probably could have arranged for [redacted] to have played a part in the salvage of the Bell-Cendant jewelry.

[redacted] is alleged to have told the following story to [redacted]

[redacted] after arriving by plane from Miami, Florida immediately contacted AL HOWARD. FRANK COSTELLO had previously been contacted by HOWARD and arranged for a meeting. FRANK COSTELLO got in touch with SCAFFA and a discussion was had as to an insurance

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67-11

Memo. for the S. A. C.

buy-back. They reached the point where it was necessary to procure an absolutely reliable intermediary who could exchange the insurance money for the stolen jewelry. [redacted] alleged partner of FRANK COSTELLO in the bookmaking business, was brought into the picture by COSTELLO. [redacted] refused to be the intermediary. [redacted] is supposed to have introduced the name of BOB NELSON. [redacted] is supposed to have driven his own car which contained HOWARD, SCAFFA and COSTELLO one night to NELSON'S home with the jewelry. It was [redacted] who physically took the jewelry into NELSON'S home.

After the money was exchanged underworld reports around Broadway are to the effect that NELSON received several threatening telephone calls. The effect of these calls was that NELSON would have to split a portion of his cut or meet with violence. NELSON is supposed to have told the callers in no uncertain terms what he thought of them and their threats. In other words, NELSON was in no wise intimidated.

The underworld reports also claim [redacted] was paid a large sum as advance payment by HOWARD immediately after [redacted] arrival by plane in New York. [redacted] is supposed to have met AL HOWARD in some popular night restaurant for the receiving of this advance payment.

This information is being submitted merely as a matter of record. [redacted] has previously furnished considerable so-called Broadway and underworld gossip. It is not believed that his information is reliable or that investigative attention should be accorded to the information received from him unless it is substantiated.

Respectfully submitted,

[redacted]  
Special Agent

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**Federal Bureau of Investigation**  
**United States Department of Justice**  
607 U. S. Court House  
Foley Square  
New York, N. Y.

RW:PS  
87-11

May 22, 1937

Mr. J. Edgar Hoover,  
Federal Bureau of Investigation,  
Washington, D. C.

PERSONAL AND CONFIDENTIAL

Re: NOEL C. SCAFFA, ET AL;  
MRS. MARGARET HANKSWORTH CONTENT - Victim.  
National Stolen Property Act; Conspiracy

Dear Sir:

Reference is made to your letter dated May 20, 1937, concerning the status of indictments in the above captioned case.

Chief Assistant U. S. Attorney John F. Dailey has today advised me that nolle prosequis as to Subjects Scaffa, Costello, Nelson and Stern have been prepared in their official form; that they have not as yet been signed by the U. S. Attorney although his signature will merely be routine inasmuch as the nolle prosequis of indictments against the above named individuals has already been approved insofar as the U. S. Attorney's office is concerned; that the final approval of the nolle prosequis has been delayed by Assistant U. S. Attorney Frank Noonan, in charge of the Criminal Division, due to rumors to the effect that Subject Costello has been allegedly bragging that he, through political connections, had "fixed" the prosecution against him. Mr. Dailey stated that such rumors are heard in many cases; that he sees no reason why the nolle prosequis should not be signed and the indictments dismissed at an early date; and that he will see to have this done as quickly as possible and advise me when such action has been taken.

I will keep the Bureau informed relative to developments along this line.

Very truly yours,

R. WHITLEY

Special Agent in Charge

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87-30 - 364

FEDERAL BUREAU OF INVESTIGATION

MAY 24 1937 P.M.

FILE

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**Federal Bureau of Investigation  
United States Department of Justice**

607 U. S. Court House  
Foley Square  
New York, N. Y.

RW:PS  
87-11

June 3, 1937.

PERSONAL AND CONFIDENTIAL

Mr. J. Edgar Hoover,  
Federal Bureau of Investigation,  
Washington, D. C.

Re: NOEL C. SCAFFA, ET AL.  
National Stolen Property Act; Conspiracy; Perjury.

Dear Mr. Hoover:

Confirming my telephone conversation of even date with Mr. Tamm, you are advised that late Wednesday evening, June 2, 1937, Mr. Gregory F. Noonan, Assistant U. S. Attorney in charge of the Criminal Division, Southern District of New York, informed me that United States Attorney Lamar Hardy had, that afternoon, signed the nolle prosequis which had been drawn up in connection with indictments outstanding against subjects NELSON, STERN, COSTELLO and SCAFFA, and that the nolle prosequis would be filed today.

I will confirm their actual filing and advise you when this has been done.

Very truly yours,

R. WHITLEY  
Special Agent in Charge

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87-30-367	
FEDERAL BUREAU OF INVESTIGATION	
JUN 6 1937 P.M.	
U. S. DEPARTMENT OF JUSTICE	
NELSON TAMM	FIVE

Mr. Nathan	✓
Mr. Tolson	✓
Mr. Baughman	
Mr. Clegg	
Mr. Coffey	
Mr. Dawsey	
Mr. Egan	
Mr. Foxworth	
Mr. Glavin	
Mr. Harbo	
Mr. Joseph	
Mr. Lester	
Mr. Nichols	
Mr. Quinn	
Mr. Schilder	
Mr. Tamm	✓
Mr. Tracy	
Miss Gandy	

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Department of Justice

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C 97-73

C 97-305

UNITED STATES ATTORNEY'S OFFICE

New York

June 4, 1937

Special Agent in Charge,  
Federal Bureau of Investigation,  
United States Court House,  
Foley Square,  
New York, N. Y.

Re: U. S. vs. Noel C. Scaffa, et al.

Sir: -

Please be advised that on June 3, 1937  
nolle prosequis were filed as to the following defendants  
in connection with the above entitled case:

Indictment C 97-305 - Frank Costello  
Charles Stern  
Noel C. Scaffa  
Robert C. Nelson

Indictment C 97-73 - Frank Costello  
Charles Stern  
Noel C. Scaffa

Respectfully,

/s/ Lamar Hardy  
LAMAR HARDY,  
United States Attorney.

87-30-368

67C

**Federal Bureau of Investigation  
United States Department of Justice**

607 U. S. Court House  
Foley Square  
New York City

June 15, 1937

87-11  
WEM:RIB

PERSONAL & CONFIDENTIAL

ms  
Director,  
Federal Bureau of Investigation,  
Washington, D. C.

RE: NOEL C. SCAFFA, ET AL.  
National Stolen Property Act; Conspiracy;  
Perjury.

Dear Sir:

This matter was covered by Bureau file 87-30.

Supplementing my letter of June 3, 1937, please be advised that nolle prosequis were filed with the Clerk of Court as of June 3, 1937 as to defendants Frank Costello, Charles Stern and Noel C. Scaffa. This applies to indictment in case C-97-73.

Nolle prosequis were also filed on June 3, 1937 in case C-97-305 as to defendants Frank Costello, Charles Stern, Noel C. Scaffa and Robert C. Nelson.

The cases are still pending as to [REDACTED] and Albert J. Contento.

A report is being submitted amplifying the above information.

Very truly yours,  
R. Whitley  
R. Whitley, *for*  
Special Agent in Charge

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87-30-369	
FEDERAL BUREAU OF INVESTIGATION	
JUN 16 1937 A.M.	
U. S. DEPARTMENT OF JUSTICE	
FWO	FILE

Mr. Nathan	✓
Mr. Tolson	✓
Mr. Baughman	
Mr. Clegg	
Mr. Coffey	
Mr. Glavin	
Mr. Ladd	
Mr. Nichols	
Mr. Rosen	
Mr. Tracy	
Miss Gandy	

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# FEDERAL BUREAU OF INVESTIGATION

Form No. 1  
THIS CASE ORIGINATED AT

NEW YORK CITY

N Y FILE NO. 87-11 rlb

REPORT MADE AT <b>NEW YORK CITY</b>	DATE WHEN MADE <b>6/19/37</b>	PERIOD FOR WHICH MADE <b>6/15/37</b>	REPORT MADE BY [REDACTED]
TITLE <b>NOEL CHARLES SCAFFA, et al; MRS. MARGARET HAWSWORTH CONTENT - VICTIM</b>			CHARACTER OF CASE <b>NATIONAL STOLEN PROPERTY ACT; CONSPIRACY.</b>

**SYNOPSIS OF FACTS:**

Nolle prosequi entered on 6/3/37 as to both indictments against FRANK COSTELLO, CHARLES STERN, NOEL C. SCAFFA, and as to ROBERT C. NELSON in the second indictment. Case is still pending against [REDACTED] and ALBERT J. CONTENTO.

**REFERENCE:**

Report of Special Agent [REDACTED], New York City, 3/15/37.

**DETAILS:**

AT NEW YORK CITY

An examination of the docket in the office of the Criminal Clerk to the United States Attorney of the Southern District of New York, in case C-97-73 against the following defendants:

[REDACTED]  
ALBERT J. CONTENTO, alias Al Howard;  
FRANK COSTELLO;  
CHARLES STERN, alias Broadway Charlie;  
and  
NOEL C. SCAFFA

APPROVED AND FORWARDED:

*R. Whitley*  
SPECIAL AGENT IN CHARGE

DO NOT WRITE IN THESE SPACES

87-30-370 JUN 21 1937

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2-Miami  
4-New York (1-USA, SDNY)  
245 SEP 21 1966

cc me mason 9/24/37

87-11

reflects the following entries of interest:

1/18/36

Bench Warrant issued as to defendants [REDACTED] and [REDACTED] and given to U.S. Marshal for service.

6/9/36

Bail bond ordered discharged as to defendant SCAFFA; and SCAFFA released on his own recognizance.

6/3/37

Nolle prosequis filed as to defendants FRANK COSTELLO, CHARLES STERN and NOEL C. SCAFFA.

6/4/37

Order drawn for return of \$5,000 cash bail to [REDACTED] as to defendant CHARLES STERN.

(Pencil footnote by Clerk)

"Pending as to defendants [REDACTED] and [REDACTED] (not arrested) and ALBERT J. CONTENTO."

Case C-97-305 charges violations of Sections 415-550 and 88 of Title 18, covering one indictment of two counts charging interstate transportation of certain stolen jewelry and conspiracy. Such indictment involved defendants:

[REDACTED]  
ALBERT J. CONTENTO  
FRANK COSTELLO  
CHARLES STERN  
NOEL C. SCAFFA  
and  
ROBERT C. NELSON

The following docket entries appear of interest:

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87-11

1/13/36

Case called and marked off calendar as to all defendants except [redacted] and [redacted] who have not been arrested.

6/9/36

SCAFFA released on his own recognizance.

6/3/37

Nolle prosequis filed as to defendants FRANK COSTELLO, CHARLES STERN, NOEL C. SCAFFA and ROBERT C. NELSON

(Pencil footnote by Clerk)

"Pending as to [redacted] and [redacted] not arrested - [redacted] and CONTENTO-paroled."

It is to be recalled that detainers have been filed with the Florida Prison Commission where [redacted] are

[redacted] It will be further noted that [redacted] was interviewed by former Special Agent in Charge JOHN M. KEITH during the latter part of February, 1937 at which time [redacted]

[redacted] However, no substantial information was obtained from [redacted] which might implicate the other defendants.

[redacted] was interviewed by Special Agent [redacted] persisted in his denials of knowing anything about instant case and claimed [redacted]

The New York City newspapers of May 14, 1937 carried items reflecting that AL HOWARD (ALBERT J. CONTENTO) was being sued by his blonde wife [redacted] for [redacted] According to the newspapers, [redacted] for [redacted]

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JOHN EDGAR HOOVER  
DIRECTOR

Federal Bureau of Investigation  
United States Department of Justice  
Washington, D. C.

RES:LCB/bw  
87-30

March 15, 1940

MEMORANDUM FOR THE FILE

Re:

ALBERT J. CONTENTO, with alias;  
CHARLES ALVIN STERN, with aliases;  
FRANK COSTELLO;

NOEL C.

SCAFFA;

ROBERT C. NELSON;

NATIONAL STOLEN PROPERTY ACT;  
CONSPIRACY.

87-30-382  
FEDERAL BUREAU OF INVESTIGATION

RECORDED & INDEXED

At 7:00 P. M., on January 26, 1935, two armed robbers

entered the suite of Mrs. Margaret Bell of New York at the Miami Biltmore Hotel, Coral Gables, Florida, and robbed her of jewelry valued at approximately \$240,000.

On February 2, 1935, the Miami Beach, Florida, Police Department arrested [redacted] on suspicion of burglary and found in his apartment the watch which was identified as having been stolen from Harry Contento at the time of the Bell jewel robbery. He was arrested, and as a result of questioning him, the Miami authorities caused the arrest of [redacted] in New York, charging him and [redacted] with this jewel robbery. [redacted] and [redacted] allegedly made full confessions to the robbery, which they later repudiated, and on March 27, 1935, a local charge against [redacted] was nol-prossed and the charge against [redacted] was reduced to armed robbery, to which he pleaded guilty and received an eight-year sentence in the Florida State Penitentiary.

On March 18, 1935, [redacted] Miami Beach, Florida, Police Department, and Noel C. Scaffa's [redacted] reported to the press that they answered a telephonic call to visit the Flamingo Hotel in Miami Beach, Florida; that upon returning from the hotel to their car they found a package on the floor, which contained the jewelry of Mrs. Bell, as a result of his activities in this case.

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March 15, 1940

Upon these disclosures the Bureau entered this case on the theory that the jewelry had been transported to New York immediately after the burglary and then brought back to Miami Beach, Florida, where the fake recovery was staged.

Extensive investigation by a group of Agents under the late J. M. Keith disclosed that Noel C. Scaffa, a private detective acting for the Lloyd's Insurance Company of London, arranged for the "buy-back" of this jewelry through Robert C. Nelson. The "buy-back" was accomplished at a cost of approximately \$41,000 to Lloyd's Insurance Company. A representative of Toplis and Harding, Insurance Adjusters, representing Lloyd's, delivered the stolen jewelry to Noel C. Scaffa in Miami, Florida, by placing it in a locked check box in the Miami Bus Station, giving the key to Scaffa. Scaffa then arranged with [redacted] Miami Beach Police Department, and [redacted] to fabricate the story of recovery. [redacted] were rewarded by Scaffa from funds furnished by Lloyd's and the arrangements for leniency to [redacted] were effected in compensation for their disclosures.

Further investigation disclosed that Lloyd's Insurance Company and Toplis and Harding were involved in the "buy-back" with guilty knowledge. Albert Contento, alias Al Howard, Charles Alvin Stern, alias "Broadway Charlie" and Frank Costello, New York racketeers were involved in the conspiracy.

Because of the disclosures developed by the Bureau,

and [redacted]

[redacted] In the Bureau case an indictment was formally returned on June 7, 1935, in New York against the subjects named in the caption of this memorandum, with the exception of [redacted] and [redacted] This indictment was in two counts and charged the substantive violation of the National Stolen Property Act and Conspiracy. Noel Scaffa committed perjury before the Grand Jury, and on June 7, 1935, was separately indicted for perjury and was subsequently sentenced to six months, which sentence was executed.

[redacted] and [redacted] In February, 1937, however, [redacted], having been preceded by confessions from Noel Scaffa and representatives of Lloyd's Insurance Company.

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Memo for the File

- 3 -

March 15, 1940

Because of the difficulty of establishing the conspiracy as to the New York subjects, and the subsequent valuable assistance rendered the Government by Scaffa, nolle prosequis were entered against Frank Costello, Charles Stern, Noel Scaffa and Robert C. Nelson on June 3, 1937. The absence of convicting evidence that these subjects actually transported instant jewelry influenced the nolle prosequi as to count one.

A Federal indictment is still outstanding in New York against [REDACTED] and Albert J. Contento. The United States Attorney has indicated that unknown future developments may warrant successful prosecution in the Southern District of New York against these latter named subjects. This case is being carried as pending inactive.

  
E. A. TAMM

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Federal Bureau of Investigation  
United States Department of Justice  
Washington, D. C.  
October 30, 1940

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MEMORANDUM FOR MR. TOLSON

By reference from the Director's Office I saw [redacted] very frankly admitted that he was representing [redacted] one of the defendants in the Miami-Biltmore jewel robbery. He left with me the attached copy of a petition for a conditional pardon for [redacted] and a reading of the petition will reflect that the plea for pardon is based upon the fact that [redacted] should be released to face prosecutive action in New York, secondly, the State of Florida should not be subjected to the cost of maintaining [redacted] who is a transient to that state.

[redacted] told me that he was retained by the sister and parents of [redacted] that he had talked with [redacted] who had impressed him rather favorably. [redacted] told [redacted] that he felt that the latter should make a complete statement and advise the FBI of the persons who inspired the Miami-Biltmore jewel robbery. [redacted] stated that he was not inclined to do any further talking.

[redacted] had talked to James Carson who was a special prosecutor for the State and a letter is set forth in the petition from Carson to [redacted] wherein Carson refers to conversations which he had with former SAC Keith who was in charge of the investigation. Carson states it was Mr. Keith's theory that [redacted] were merely tools, that by prosecuting them to the limit Mr. Keith thought it might lead to the identification of the higher-ups.

RECORDED & INDEXED

87-30-392

I ENCL. FM  
The purpose of [redacted] call at the Bureau was to find out first of all what the Bureau's position would be on the petition, and secondly to ascertain whether the Bureau was ready to further prosecute the case. I told him that the facts would be carefully considered and the Director would communicate with him but that I thought the Bureau's position would be first of all with reference to the petition that this was a judicial matter, the Bureau was a fact finding agency, any facts in our possession should the Bureau be called at the hearing would have to be brought to the attention of the Pardon Board. Secondly, as to whether the Bureau was ready to

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Memo for Mr. Tolson

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further prosecute, I pointed out that again the Bureau was a fact finding agency, that the responsibility for prosecution rested upon the United States Attorneys, that the Bureau's investigation in so far as [REDACTED] were concerned had been completed and that we could not make any statement one way or the other but that prosecution would be subject to the United States Attorney.

In the course of the conversation [REDACTED] pointed out that the indictments of three of the persons in this case had been nolle prossed and the writer jokingly stated that [REDACTED] strategy naturally was to have [REDACTED] removed to New York with the hope that the indictments would be subsequently dismissed against him. [REDACTED] by his actions admitted that this was the case. He further stated that he felt that one [REDACTED]

[REDACTED] who was an associate of Frank Costello, might be one of the individuals who were higher up in this particular case. He mentioned this confidentially and did not go into any facts which prompted him to come to this conclusion.

A letter is attached.

Respectfully,

  
L. B. Nichols

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# FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT **NEW YORK, N. Y.**

NY FILE NO. **87-11 A.S.**

REPORT MADE AT <b>NEW YORK, N. Y.</b>	DATE WHEN MADE <b>3/18/42</b>	PERIOD FOR WHICH MADE <b>2/10, 28/42</b>	REPORT MADE BY <b>[REDACTED]</b>
TITLE <b>NOEL CHARLES SCAFFA (Deceased); ET AL; Mrs. Margaret Hawksworth Content - Victim</b>			CHARACTER OF CASE <b>NATIONAL STOLEN PROPERTY ACT; CONSPIRACY</b>

**SYNOPSIS OF FACTS:**

Asst. U. S. Attorney, Walter H. GAHAGAN, Jr., SDNY, desires that [REDACTED] be re-interviewed at [REDACTED] through his N.Y. attorney, has advised the U.S. Attorney, SDNY, that he is now willing to reveal all he knows about this robbery which occurred at Coral Gables, Florida, on January 26, 1935.

**REFERENCE:**

Reports of Special Agent [REDACTED] New York City, dated March 15, 1937 and June 19, 1937  
Report of Special Agent [REDACTED] at Miami, Florida, dated April 11, 1937  
Report of Special Agent [REDACTED] New York City, dated October 7, 1941

**DETAILS:**

In discussing this case with Assistant United States Attorney, Walter H. GAHAGAN, Jr. of the Southern District of New York, Mr. GAHAGAN turned over a photostat of a letter from the law firm of [REDACTED] dated January 15, 1942.

In this letter, [REDACTED] states that he was retained to represent [REDACTED] in the Federal indictment now pending

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[redacted] in the Southern District of New York in this case. He  
against [redacted] and that  
said that he recently saw [redacted] at [redacted]  
[redacted] is now anxious and willing to cooperate and tell all he knows  
concerning the holdup and robbery of Miss MARGARET HAWKSWORTH BELL and  
HARRY CONTENT at the Miami Biltmore Hotel, Coral Gables, Florida, on  
January 26, 1935. At that time Miss Bell's jewelry in the value of  
approximately \$185,000. was taken by [redacted] in this armed  
robbery.

The letter is as follows:

"Sometime ago I called upon you on behalf of my client,  
[redacted] who is one of the defendants in a criminal  
indictment, now pending in the United States District Court  
for the Southern District of New York, bearing No. 097/73.

This indictment arises out of the transportation and  
conspiracy to transport stolen jewelry from the State of  
Florida to the State of New York. The indictment is dated  
June 7, 1935.

[redacted] were tried in the State of  
Florida for the crime of stealing this jewelry during 1936,  
were found guilty and [redacted]  
[redacted]

Of the several defendants named in the indictment in the  
Federal District Court, there has been a nolle pros. for Frank  
Costello, Charles Stern and Noel C. Scaffa. [redacted]  
and Albert J. Contento were released on bail. [redacted]  
are both in prison in [redacted]

I was retained to represent [redacted] in this Federal indict-  
ment by [redacted]

[redacted] is employed at [redacted]  
New York City, where she has held a responsible and trusted  
position for a number of years. She resides with her aged and  
infirm father and mother in their own home in [redacted]  
[redacted]

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Due to the fact that [redacted] now expresses a willingness to do some talking in this case, Mr. CAHAGAN desires that he be interviewed by an agent of the Federal Bureau of Investigation in Florida and that a signed statement be obtained from him if possible, setting out all of the facts in this case.

A review of the file in the New York office shows that defendant, [redacted] was interviewed in a Florida prison camp on or about March 15, 1937 by Special Agent [redacted] of the Miami office and former Special Agent in Charge, John M. Keith of the Federal Bureau of Investigation, now deceased.

The results of the interview with [redacted] are set out in the report of Special Agent [redacted] New York City, dated March 15, 1937, a copy of which is in the possession of the Miami office. In this report [redacted] set out in detail how the robbery of Miss Margaret Hawksworth BELL and Harry CONTENT occurred at the Miami-Biltmore Hotel, Coral Gables, Florida, on January 26, 1935.

The report of Special Agent [redacted] Miami, Florida, April 11, 1937 sets out that [redacted] was interviewed by him and refused to give any information whatsoever. [redacted] at that time stated that he knew nothing about the robbery in the instant case and that his conviction was a frameup.

The report of Special Agent [redacted] New York City, dated June 19, 1937 shows that a nolle prosequi was entered on June 3, 1937 as to both indictments against FRANK COSTELLO, CHARLES STERN, and NOEL C. SCAFFA and as to ROBERT C. NELSON in the second indictment. The case in the Southern District of New York is still pending against [redacted] and ALBERT J. CONTENTO.

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# FEDERAL BUREAU OF INVESTIGATION

Form No. 1  
THIS CASE ORIGINATED AT **NEW YORK, NEW YORK**

FILE NO. **87-3**

REPORT MADE AT <b>MIAMI, FLORIDA</b>	DATE WHEN MADE <b>6-16-42</b>	PERIOD FOR WHICH MADE <b>5-13-42</b>	REPORT MADE BY <b>[REDACTED]</b>
TITLE <b>NOEL CHARLES SCAFFA (Deceased); ET AL; Mrs. Margaret Hawkeworth Content - VICTIM</b>			CHARACTER OF CASE <b>NATIONAL STOLEN PROPERTY ACT; CONSPIRACY</b>

**SYNOPSIS OF FACTS:**

[REDACTED] made oral statement concerning the actual robbery of the victims at the Biltmore Hotel, Coral Gables, Fla. which was almost identical with the statement made by subject [REDACTED]. He stated that [REDACTED] and AL HOWARD were the instigators and made the arrangements for the robbery but HOWARD remained in the background. He stated, while the information he furnished was the absolute truth, he definitely refused to testify against these persons in a trial court.

- RUC -

**REFERENCE:** Report of Special Agent [REDACTED], New York, New York, dated March 18, 1942.

**DETAILS:** AT [REDACTED]  
[REDACTED] upon interview stated that FRANK COSTELLO is the individual who for many years had been financing AL HOWARD in the operation of night clubs; that CHARLES STERN, known as "BROADWAY CHARLIE" was supposed to have been a stock market operator, and that NOEL SCAFFA was scarcely known to him; that he only met SCAFFA on one occasion. He stated that when he was being held in the County Jail, a policeman, whose identity he could not give, from New York City or Miami Beach, came to the jail in Miami and

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he knows it now.

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\_\_\_\_\_ also stated that while he was in the jail one \_\_\_\_\_ came to see him, and told him to keep his mouth shut; that he was doing everything possible for him, and at this time \_\_\_\_\_ gave \_\_\_\_\_ \$400. \_\_\_\_\_ claims that he knew \_\_\_\_\_ in New York for about four years. He stated that he knew \_\_\_\_\_ in New York City three years before the robbery but that he was never involved in any crime with him before the Biltmore robbery. \_\_\_\_\_ also stated that he \_\_\_\_\_ had been in plenty of trouble in New York City before the Biltmore robbery, but through politicians it was always arranged that his cases were thrown out of court.

He stated that he casually knew FRANK COSTELLO about three years before the robbery and knew that COSTELLO was very friendly with \_\_\_\_\_ and AL HOWARD. \_\_\_\_\_ also stated that while he had heard of ROBERT NELSON, he had never met him, but he was of the opinion from what he had heard that he was NOEL SCAFFA's fence, and he knew that NELSON was considered the largest fence on the eastern seaboard.

\_\_\_\_\_ went on to say that on or about January 11, 1935, he drove from New York to Miami in his car; that \_\_\_\_\_ came to Miami about the same time in his \_\_\_\_\_ car. At that time he was rooming with \_\_\_\_\_ at the Fleetwood Hotel, and AL HOWARD was running the Embassy Club and being financed by FRANK COSTELLO. He stated that \_\_\_\_\_ was located in some rooming house; that he \_\_\_\_\_ originally came to lookout for the gambling in HOWARD's club. He was to be a gambler overseer.

He stated that before he came to Miami he knew \_\_\_\_\_ only casually, having met him in New York City in 1933. At the Brook Club in Saratoga, at the races, he first saw Mrs. BELL and HARRY CONTENT, Dr. BLAKE was with them. \_\_\_\_\_ was also at Saratoga at the time and \_\_\_\_\_ suggested then that an attempt should be made to rob them. But after thinking things over \_\_\_\_\_ said that Saratoga was a wide open town and if the job was pulled there it would put the heat on and might ruin the town. At that time \_\_\_\_\_ was in Saratoga with HOWARD, who was operating the Brook Club. This was the season before the Biltmore robbery. The Brook Club is the most fashionable club in Saratoga. \_\_\_\_\_ went on to say that after his arrival in Miami, \_\_\_\_\_ was the first person to mention the robbery of Mrs. BELL and HARRY CONTENT to him.

At that time he \_\_\_\_\_ were at the Hialeah Track, and Mrs. BELL was wearing all the "stuff". \_\_\_\_\_ suggested that he \_\_\_\_\_ take them; however, a few minutes later \_\_\_\_\_ said that he would be too easy to identify because he was so tall and \_\_\_\_\_ and \_\_\_\_\_ suggested that \_\_\_\_\_ be engaged to pull the job with \_\_\_\_\_ because \_\_\_\_\_ was about his size. Finally it was definitely decided that \_\_\_\_\_ was to participate in the robbery with him \_\_\_\_\_

Here the oral statement concerning the actual robbery of Mrs. BELL

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to New York City, and that on February 4, 1935, he left Miami by Eastern Air Lines plane using a ticket furnished him by [redacted] and he went to New York City. Before he left [redacted] told him to go to FRANK COSTELLO in New York City and tell COSTELLO that [redacted] was broke and needed \$1000.00 in Miami. [redacted] stated that he did contact COSTELLO in New York City and gave him [redacted] message and COSTELLO turned over to him \$1000.00. [redacted] stated that of this amount, he kept \$500.00 and sent \$500.00 to [redacted] by telegram.

He stated that in New York City on February 7, he was arrested and returned to Miami on February 20, 1935.

He went on to say, that so far as he knows AL HOWARD and [redacted] were partners, and that they did all of the planning and arranging of the Biltmore robbery. However, HOWARD always kept in the background, and he [redacted] received all of his orders from [redacted] and since [redacted] made him responsible for results he was the man who ordered [redacted] around.

[redacted] stated that [redacted] agreed to give him a cut of \$20,000, and he [redacted] agreed to give [redacted] between \$5,000 and \$7,500.00.

[redacted] stated that he cannot swear nor does he have the least idea how the jewels were transported to New York City or who transported them. He stated that he gave the jewelry to [redacted] and he knows that [redacted] was not in New York City when the jewelry was taken there. However, AL HOWARD went to New York City two or three days before he [redacted] did on February 4, 1935. [redacted] stated HOWARD could have taken the jewelry to New York or could have sent it there, but he [redacted] believes that he is too smart to chance anything like that. However, he or [redacted] could have sent the jewelry to New York by some other person or could have had some other person mail or express the jewelry.

[redacted] stated that he definitely recalls going to HOWARD's home at 381 Park Avenue, New York City. HOWARD's wife's name is MARIE. This was the night before he was arrested in New York City and HOWARD was picked up the night after [redacted] was arrested and released.

He stated that HOWARD never mentioned the robbery to him nor did he ever refer to the jewelry. He stated that during the night when he was in the HOWARD home he called [redacted] or some other person in Miami and inquired about the gambling situation.

[redacted] stated that the last time he talked to [redacted] was the night before he left Miami on February 4, 1935. [redacted] stated that he called [redacted] long distance on February 5th, and inquired of him how everything and [redacted] reported that, "all was o.k." He [redacted] did not know at the time that [redacted] had been arrested.



b7C

He first learned of [redacted] arrest when he [redacted] was arrested in New York City, when the police there told him that [redacted] had been arrested in Miami, and put him [redacted] in on the job.

[redacted] stated that the only ones that he knows who are definitely connected with the robbery were [redacted] who was just a punk and picked up to assist him in pulling the job; [redacted] was definitely in as the case and planner of the job; that AL HOWARD remained in the background. He [redacted] couldn't definitely state what part he took but he was with [redacted] immediately after the robbery and when he [redacted] turned the jewelry over to [redacted] he must have seen the jewelry right then, but what went on between him and [redacted], he does not know, but he does know they were partners then and still are. His opinion is further, that FRANK COSTELLO in some way was mixed up in the job and that NOEL SCAFFA played no small part in the entire proceedings.

[redacted] concluded by saying that this was a true story of the entire affair; that he wants to go straight; that he wants to get out of the penitentiary; but that if he is released he is afraid to testify against any of the persons mentioned in this report; that he knows if he ever testified against [redacted] and HOWARD, with their connections with the underworld in New York City, harm would most surely come to him, [redacted] or members of his family.

[redacted] insists that he is not guilty of any Federal violation; that he never knew the jewelry involved in this robbery was to be transported in interstate commerce; that he had no idea how [redacted] and that latter's partners were going to dispose of the jewelry.

He very definitely stated that he will refuse to give any testimony against any person connected with this case in open court or give any testimony in connection with the indictments pending in the Federal courts in New York City.

REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN



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**FEDERAL BUREAU OF INVESTIGATION**  
**FREEDOM OF INFORMATION/PRIVACY ACTS SECTION**

**SUBJECT: FRANK COSTELLO**  
**FILE NUMBER: 87-30 SECTION 7**

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# Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Rosen *PR*

DATE: Feb. 15, 1954 *PR*

FROM : Mr. Price *JP PL*

Time of Call: 9:15 a.m.

SUBJECT: NOEL CHARLES SCAFFA, et al  
NATIONAL STOLEN PROPERTY ACT  
CONSPIRACY; PERJURY

ASAC McCabe, New York Office, telephonically advised that the U. S. Attorney's Office, Southern District of New York, some time ago requested the New York Office to furnish to the U. S. Attorney's Office a Photostat of an unsigned copy of a 22½ page signed statement of Frank Costello. This statement is dated May 31, 1935, and is a question and answer statement taken from Costello in the U. S. Attorney's Office by the then U. S. Attorney F. W. H. Adams, now New York City Police Commissioner. Former SA John Keith was present. The U. S. Attorney's Office advised that they were unable to locate the original copy to use in the forthcoming trial of Frank Costello on Federal income tax charges which is coming up in March, 1954.

Costello was interviewed in 1935 by the U. S. Attorney concerning his financial status and background and his knowledge of the Scaffa case and his contacts with the subjects of that case.

According to McCabe a Photostat of the unsigned copy of Costello's signed statement as contained in the New York Office file was furnished to the U. S. Attorney. However, when making the Photostat three inked notations which have been placed thereon by former SA [REDACTED] were blocked out. These notations are as follows:

b7C "153-157 5th Avenue, third floor, telephone Algonquin 44390. See police tap of 2-18-35, page 6 in conversation Costello says 'This is Costello's Office.' W.B.M. 6-5-35."

"D. J. tap of April 25, 1935, indicates this is Costello's Office. W.B.M. 6-4"

"Police tap of 2-17-35, page 3 Costello told someone he, Costello, 'I'm going to Hot Springs Wednesday or Thursday,' this would mean 2-20 or 2-21-35. W.B.M. 6-4"

According to McCabe the "D. J. tap" is one of a number of technical installations we utilized in captioned case in 1935, one of which was on Costello.

The U. S. Attorney's Office has advised, according to McCabe, that they intend to possibly use the Photostat or the copy in the New York files to cross-examine Costello regarding his financial status and financial transactions for the period covered by the statement.

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Memorandum to Mr. Rosen

However, the U. S. Attorney's Office is not sure they will do so. The U. S. Attorney's Office has now requested the New York Office to preserve the copy of Costello's statement in the New York Office file for this purpose. The U. S. Attorney's Office is not cognizant of the inked notations which appear on our copy.

RECOMMENDATION:

It is recommended that the New York Office be instructed to orally advise the U. S. Attorney's Office, Southern District of New York, of the inked notations appearing on the copy in our files so that there will be no misunderstanding that this copy cannot be used in court.

*Jan*  
*Wes.*

*10:20 Am 2/16/54*  
*Aug. J. Handley, NYO*  
*advised. Jm*